

in conflict with any of the provisions of this act, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,

Austin, Texas, May 26, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 41, A bill to be entitled "An Act for the relief of the Independent School District of Rock Springs and the city of Rock Springs, in Edwards county, Texas, in order to aid said municipalities in the reconstruction of public property destroyed by the recent cyclone in that community on the 12th day of April, 1927; granting and appropriating to said school district the sum of fifty thousand (\$50,000) dollars for school building purposes, the sum of fifteen thousand (\$15,000) dollars for equipping school buildings, the sum of ten thousand (\$10,000) dollars for maintenance of its schools, for the school year ending in 1928, and the sum of five thousand (\$5,000) dollars for maintenance of its schools for the school year ending in 1929; granting and appropriating to said city of Rock Springs the sum of twenty thousand (\$20,000) dollars for rebuilding and rehabilitating its waterworks system; prescribing manner in which the funds hereby granted and appropriated shall be paid, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,

Austin, Texas, May 26, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 30, A bill to be entitled "An Act creating Road District No. 4, in Wheeler county, Texas; validating and approving all orders made by the commissioners court of said county, in respect to the organization of said district; validating the authorization, issuance, and sale of certain road bonds thereof and providing for their payment by the annual levy, assessment and collection of general ad valorem taxes on all taxable property in said road district; approving and validating all orders of the commissioners court of said county in respect of said road district,

bonds and taxes, or certified copies thereof, and constituting such orders legal evidence; evidencing proof of publication of constitutional notice required in such acts, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

#### FOURTEENTH DAY.

(Tuesday, May 31, 1927.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Bobbitt.

The roll was called and the following members were present:

Acker.	Jacks.
Albritton.	Johnson
Anderson.	of Dimmit.
Avis.	Justice.
Barnett.	Kayton.
Barron.	Keeton.
Bass.	Kemble.
Beck.	Kennedy.
Bird.	Kincaid.
Black.	King of Hopkins.
Boggs.	Kirkland.
Bonham.	Land.
Boon.	Lewis.
Branch.	Lipscomb.
Brice.	Long.
Brown.	Loy.
Conway.	McCombs.
Cornwell.	McGill.
Cox.	McKean.
Cummings.	Merritt.
Daniel.	Minor.
Davis.	Montgomery.
DeBerry.	Morse.
Denman.	Moursund.
Dielmann.	Murphy.
Duvall.	Nabors.
Enderby.	Nicholson.
Eickenroht.	Olsen.
Farrar.	Parish of Runnels.
Faulk.	Parrish of Travis.
Finlay.	Pavlica.
Fly.	Pearce.
Forbes.	Petsch.
Foster.	Poage.
Gibson.	Pool.
Gilbert.	Pope.
Graves.	Porter.
Gray.	Powell.
Hall.	Purl.
Harding.	Rawlins.
Harman.	Reagan.
Hefley.	Renfro
High.	of Angelina.
Hogg.	Rogers of Hays.
Holder.	Rogers of Shelby.
Holland.	Rowell.

Runge.	Tillotson.
Sanders.	Turner.
Satterwhite.	Van Zandt.
Shaver.	Veatch.
Shearer.	Waddell.
Sheats.	Walker.
Shirley.	Wallace
Simmons.	of Freestone.
Sinks.	Wallace of Smith.
Smith of El Paso.	Ware.
Smith of Nueces.	Wassell.
Smith of Smith.	Webb.
Smyth.	Wells.
Snelgrove.	Whitaker.
Stell.	Williams
Stevenson.	of Sabine.
Storey.	Williams
Stout.	of Travis.
Swain.	Williamson.
Taylor.	Woodall.
Teer.	Young.

## Absent.

Alexander.	Kirby.
Dunlap.	Sutton.
Kenyon.	Woodruff.

## Absent—Excused.

Bateman.	King of
Fuchs.	Throckmorton.
Gates.	Kinnear.
Hagaman.	Loftin.
Hornaday.	Masterson.
Johnson	Renfro of Mills.
of Anderson.	Smith of Atascosa.
Jones.	Wallace of Panola.

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

## LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Hogg for yesterday, on motion of Mr. Morse.

Mr. Hagaman for yesterday and today, on motion of Mr. Albritton.

Mr. Jones for today, on motion of Mr. Poage.

Mr. Wallace of Panola for yesterday, today and tomorrow, on motion of Mr. Poage.

Mr. Wallace of Freestone for last Friday afternoon, on motion of Mr. Poage.

Mr. Smith of Atascosa for yesterday and today, on motion of Mr. Fly.

Mr. Hornaday for today, on motion of Mr. Hefley.

Mr. Loftin for today and tomorrow, on motion of Mr. Storey.

Mr. Johnson of Anderson for today, on motion of Mr. Daniel.

Mr. Walker for yesterday, on motion of Mr. Wassell.

Mr. Masterson for yesterday and today, on motion of Mr. Sheats.

Mr. Renfro of Mills for today, on motion of Mr. Woodall.

Mr. Bateman for yesterday and today, on motion of Mr. Van Zandt.

Mr. Dielmann for yesterday, on motion of Mr. Williamson.

Mr. Shaver for yesterday, on motion of Mr. Harding.

The following members were granted leaves of absence on account of illness:

Mr. Gates for today, on motion of Mr. Rogers of Hays.

Mr. King of Hopkins for today, on motion of Mr. Gray.

Mr. King of Throckmorton for today, on motion of Mr. Hall.

Mr. Fuchs for today, on motion of Mr. Boggs.

## HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Murphy:

H. B. No. 117, A bill to be entitled "An Act to amend Article 2355 of the Revised Civil Statutes of the State of Texas, as adopted in 1925, so as to provide for filling vacancies in the office of county superintendent of public instruction."

Referred to Judiciary Committee.

By Mr. Veatch (by request):

H. B. No. 118, A bill to be entitled "An Act providing for a rural school supervisor in lieu of the teachers' institute as required under Article 2691, and providing for the payment of the salary and office expenses of said rural school supervisor, in counties having a population of 36,750 to 37,550, according to the Federal census of 1920, and a scholastic population of at least 9000 as shown by the scholastic census report for the school year of 1926-1927, and declaring an emergency."

Referred to Committee on Education.

By Mr. Wells:

H. B. No. 119, A bill to be entitled "An Act to amend Section 3 of Chapter 16 of the General Laws passed by the Thirty-ninth Legislature. First Called Session, being Senate bill No. 287, and providing that road districts may be created and road bonds thereof issued in counties having outstanding road bonds, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Wells:

H. B. No. 120, A bill to be entitled "An Act to provide better protection for fish in the fresh waters of Jackson county by making it unlawful to use nets or seines in any of the fresh water streams, lakes, bayous or lagoons in Jackson county, and declaring an emergency."

Referred to Committee on Game and Fisheries.

#### BILLS ORDERED NOT PRINTED.

On motion of Mr. Hall, House bill No. 108 was ordered not printed.

On motion of Mr. Swain, House bill No. 106 was ordered not printed.

On motion of Mr. Williamson, House bills Nos. 86 and 90 were ordered not printed.

On motion of Mr. Woodall, House bill No. 101 was ordered not printed.

On motion of Mr. Poage, House bill No. 94 was ordered not printed.

On motion of Mr. Wells, House bill No. 114 was ordered not printed.

On motion of Mr. Gray, House bill No. 103 was ordered not printed.

On motion of Mr. Harman, House bill No. 104 was ordered not printed.

#### BILLS RE-REFERRED.

On motion of Mr. Williamson, House bill No. 93 was withdrawn from the Committee on Highways and Motor Traffic and re-referred to the Committee on Live Stock and Stock Raising.

On motion of Mr. Murphy, House bill No. 116 was re-referred to the Committee on Criminal Jurisprudence.

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, May 30, 1927.  
Hon. Robert Lee Bobbitt, Speaker of  
the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has refused to concur in House amendments to Senate bill No. 7, and requests the House for appointment of a Free Conference Committee to adjust the differences. The following are appointed as conferees on the part of the Senate:

Senators Wood, Moore, Love, Greer and Price.

Has passed

H. B. No. 2, A bill to be entitled "An Act making appropriations for the support and maintenance of the State government for the fiscal years ending August 31, 1928, and August 31, 1929, and declaring an emergency," with amendments.

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

#### RELATING TO COMMUNICATION OF MR. RENFRO OF ANGELINA.

Mr. Renfro of Angelina sent up a communication and requested that it be read to the House.

Mr. Barnett moved that further reading of the communication be dispensed with and that the remarks be printed in the Journal.

On motion of Mr. Lipscomb, the motion of Mr. Barnett was tabled.

#### BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

S. B. No. 19, "An Act to amend Chapter 77 of the Local and Special Laws enacted by the Thirty-third Legislature at its Regular Session, convened on January 14, 1913, and adjourned on April 1, 1913, and approved March 24, 1913, the same being a special road law for Bexar county, Texas, by adding thereto Section 31a, authorizing the commissioners court of Bexar county to issue bonds of said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes and to levy a tax in payment thereof, and declaring an emergency."

S. B. No. 12, "An Act amending the local road law of Dallas county so as to better provide for construction, reconstruction and repair of dirt roads connected with the pikes or hard surfaced roads in said county, and so as

to make more ample provision for the removing and preventing of impediments on the public highways of Dallas county such as junk, or debris, tin cans, glass or other similar impediments, and declaring an emergency."

S. B. No. 14, "An Act amending Section 3a of Chapter 274 of the General Laws of the Regular Session of the Fortieth Legislature so as to insert therein a saving clause in reference to offenses committed before this act takes effect."

S. B. No. 31, "An Act ratifying and validating an election heretofore held in and throughout Dimmit county, Texas, upon the question authorizing the issuance, of \$560,000 special road bonds of said county, and levying a tax in payment thereof; ratifying and validating the petition for such election, the order calling such election and notices thereof, and all orders passed by the commissioners court of said county in respect thereto, etc., and declaring an emergency."

#### RELATING TO SENATE BILL NO. 7.

On motion of Mr. Wallace of Free-stone, the request of the Senate for a conference committee on Senate bill No. 7 was granted.

#### INVITING AUSTIN HIGH SCHOOL BAND TO PLAY FOR HOUSE OF REPRESENTATIVES.

Mr. Montgomery offered the following resolution:

Whereas, Last week the meeting of the High School Bands of the Nation was held at Council Bluffs, Iowa; and

Whereas, The band of the High School of Austin, Texas, participated therein, and was recognized for first place as a parade band on account of their military bearing, and was accorded second place on account of their playing; and

Whereas, Said recognition of the said band of the Austin High School has brought notice, publicity and honor to the State of Texas, and recognition to the said Austin High School, as well as to the city of Austin, the Capital City of the State; and

Whereas, Clel T. Silvey was and is the director of said band, and whose untiring efforts have brought the band of the Austin High School to its present efficiency; and

Whereas, Said band is now playing in the city of Chicago, and will play in St. Louis on their return, as a result of said recognition; now therefore, be it

Resolved by the House of Representatives of the State of Texas, That the said Clel T. Silvey, as director, and the band of the Austin High School be given a vote of thanks for the recognition won by themselves, and the publicity and recognition secured by them for the State, in appreciation of their efforts; and that at some time convenient to them they be invited to play for the House, and at such time as they desire to play for the House that the House take advantage of such occasion, and give them a rising vote of thanks for what they have done for themselves, their school and their State, as they have shown by their harmonious efforts in music what can be accomplished by the combined efforts of a united people for the State.

Signed—Montgomery, Wells, Rawlins, McCombs.

The resolution was read second time and was adopted.

#### TO PAY EXPENSES FOR THE COMMITTEE APPOINTED TO COMPILE SCHOOL LAWS.

Mr. Barron offered the following resolution:

Whereas, The House of Representatives during the Regular Session of the Fortieth Legislature passed a resolution authorizing the Speaker of the House to appoint a committee of two members of the House with instructions to compile, codify, simplify and unify the school laws; and

Whereas, The committee appointed for this purpose put in practically all of the time between the Regular Session and the First Called Session in perfecting the work assigned to them; and

Whereas, All of the committees appointed to serve between sessions were authorized to receive a sufficient sum to pay their expenses while working on their committee except the Codification Committee, which was appointed without provisions for payment of their expenses; now, therefore, be it

Resolved by the House of Representatives, That said committee be paid two dollars per day for each day actually used in performing their duty to defray their expenses. Said expenses herein



provided for shall be paid out of the fund available for contingent expenses of the Fortieth Legislature; and be it further

Resolved, That the expenses of the two committee clerks of the Committee on Appropriations be paid according to the terms of this resolution.

Signed—Barron, Brown.

The resolution was read second time.

Mr. Woodall raised a point of order on further consideration of the resolution at this time on the ground that the time for consideration of resolutions has expired.

The Speaker sustained the point of order.

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, May 31, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 15, A bill to be entitled "An Act making an appropriation for the survey of the Davis Mountain State Park Highway in the Davis Mountains of Texas, to be a part of the system of State highways, and providing that State convicts may be utilized in the construction of said highway, and declaring an emergency."

S. B. No. 42, A bill to be entitled "An Act relating to free textbooks for the public free schools of this State; amending Sections 30, 31, 33, 34 and 39, and repealing Sections 40 and 41 of Chapter 176 of the General Laws of the Regular Session of the Thirty-ninth Legislature of this State; providing for the setting aside of funds for free textbooks used in the public free schools of this State, etc., and declaring an emergency."

S. B. No. 44, A bill to be entitled "An Act making provision for the continuance of teachers' certificates for one year where the holder of same takes and passes four subjects or courses at a summer school of a State Teachers College or any other institution rated as first class by the State Department of Education, and defining the meaning of courses for the purpose of this act, etc., and declaring an emergency."

S. B. No. 57, A bill to be entitled "An Act amending Article 5347 of the Revised Civil Statutes of 1925 so as to

make proper disposition of certain funds mentioned therein and particularly certain funds that under present laws go to the game law, etc., and declaring an emergency."

Has refused to concur in House amendments to Senate bill No. 5 and requests the House for appointment of a free conference committee to adjust the differences.

The following are appointed as conferees on part of Senate:

Senators Wood, Wirtz, Bledsoe, Bowers, Miller.

Respectfully,

MORRIS C. HANKINS,  
Assistant Secretary of the Senate.

#### CONFERENCE COMMITTEE ON SENATE BILL NO. 7.

In compliance with the request of the Senate for a conference committee on Senate bill No. 7, the Speaker appointed the following to serve on the conference committee on the part of the House:

Messrs. Wallace of Freestone, Barron, Smith of Nueces, Barnett and Young.

#### MESSAGE FROM THE GOVERNOR.

Mr. Carl L. Phinney, Assistant Secretary to the Governor, appeared at the bar of the House, and being duly announced, presented the following message from the Governor, which was read to the House, as follows:

Executive Office,  
Austin, Texas, May 30, 1927.

To the Honorable Fortieth Legislature of Texas.

Gentlemen: The recodification of the Statutes of 1925 omitted the provisions relative to penalties for violation of the rules and orders of the Railroad Commission respecting the conservation of oil and gas. As a result, the Railroad Commission lacks authority to enforce its rules relative to the production and conservation of oil and gas. Therefore, I submit the following subjects for your consideration:

(1) The enactment of statutes to provide for such penalties omitted in the recodification of 1925.

(2) The enactment of statutes giving the Railroad Commission authority to prevent waste of oil and natural gas in the actual drilling and producing operations and in the actual storage, piping, distribution and utilization thereof.

(3) The enactment of statutes giving the Railroad Commission the power to enforce reasonable rules governing the handling of dry or abandoned wells drilled for oil or gas to prevent the same from constituting a source of damage to the oil and gas strata.

(4) The enactment of statutes fixing the qualifications of supervisors and deputy supervisors working under the Railroad Commission and the Oil and Gas Division thereof.

(5) The enactment of a statute supplementing the bill passed by the Fortieth Legislature giving the Railroad Commission control over passenger transportation by motor car, so as to extend this authority to also include transportation of freight by motor carriage.

Respectfully submitted,  
DAN MOODY,  
Governor of Texas.

#### HOUSE BILL NO. 6 ON SECOND READING.

The Speaker laid before the House, as a special order for this hour, on its second reading and passage to engrossment,

H. B. No. 6, A bill to be entitled "An Act to amend Articles 603 and 604 of Title 20, Chapter 1, Revised Statutes, 1925, and adding to said Title 20 another chapter providing for efficiency tests and examinations and classification of appointive ministerial and clerical officers and employees of the State of Texas; regulating such tests and examinations and providing for fixing the compensation of such employees, and repealing all laws in conflict."

The bill was read second time.

Mr. Wallace of Freestone offered the following (committee) amendment to the bill:

Amend House bill No. 6 by striking out all after the enacting clause, and insert in lieu thereof the following:

Section 1. It is hereby declared to be the policy of the State of Texas that appointments to the State service where practicable shall be made on the basis of merit determined after examination. This principle shall be put into effect through the Board of Control, as authorized by the affirmative provisions of this act, and except as restricted by this act. Said Board shall have power to create rules and regulations for the purposes herein stated.

The Board of Control shall hereafter

be referred to in this act as the board. The appointing officers of the State, whether a board, an institution or an individual officer, shall be referred to as the appointing officer. The board may employ such examiners, and other employees as are found to be necessary, and also may employ a head of a division of civil service, to be paid out of fees collected hereunder, who shall not be limited to any number of years of experience as provided in Article 604 of the Revised Civil Statutes of 1925. The board may also call upon any employees of the State, including clerks of any court of the State, to assist in the conducting of examinations, or to conduct examinations, under its direction, such service to be without additional compensation. It is the duty of officers and employees of the State to co-operate with the board, to furnish rooms for the conduct of examinations when called upon to do so, and to furnish information about applicants for examination when so required by the board.

Sec. 2. The officers and employees of the State are divided into the following classes: non-competitive, competitive and laborers.

This act shall not apply to the non-competitive class, which class shall consist of the following:

All officers elected or whose appointment is required to be confirmed by the State Senate.

Instructors and officers employed in educational institutions of this State, including student employees.

The chief clerk in any State department, and the secretary to the head of a department.

Duly licensed doctors in the Department of Public Health.

Lawyers acting as assistant attorneys general or representing the State.

The judiciary.

Election officers.

Persons in the National Guard and Ranger services.

The employees of the Governor's office.

Any employee of the State which the board determines it would be impractical to be appointed from the classified service.

The board is empowered to place in the non-competitive service any employee whose relations to the head of the department in which he is employed are necessarily confidential.

The competitive class shall consist of all other persons employed by the State except laborers, who may as the board determines, be appointed after examina-

tion as to their skill, physical fitness and age, these qualifications to be determined in their practical application after consultation by the board with the appointing power or appointing powers employing labor in which similar qualifications are required. Laborers shall be selected from territory as closely adjacent as practical to the point at which they are to be employed.

The board shall determine what employes are to be classed as laborers, but shall not so class those employed in the prison service, and shall put such employes in the classified service.

When the appointing power desires to appoint a laborer or laborers from a class which the board has fixed after examinations as to skill, physical fitness and age, it shall be furnished with the entire list suitable from which to make such appointment or appointments and the appointing power shall make his selection or selections from those living adjacent to the point at which the work is to be performed or from those who have expressed their willingness to work at the place in question.

Sec. 3. The classified service shall include all employes now in the services of the State in their respective positions, except that such employes may be dismissed at the will of the appointing power. The employment, however, shall continue only during the period for which the appointing power who appointed them was elected or appointed. If the appointing power is a board whose terms of office expire at different times the period shall be for the longest term of office of any member of the board. Such employes may seek enrollment on the classified list through examination, and in that examination they shall be given credit for experience. The board shall fix the percentage which shall qualify an applicant for a position on the classified list at seventy per cent (70%). Any employe of the State seeking a place on the list in the classified service shall be entitled to not more than ten per cent (10%) for experience.

When an examination for any position in the classified service is to be held, it shall be advertised in such newspapers as the board may determine, and by placards to be placed in the county courthouses of the State, so that sufficient notice may be given throughout the State of such examination. Examinations shall be held in various parts of the State, and appointments in the public service shall be apportioned among the several counties of the State

upon the basis of population as ascertained at the last preceding census as far as practicable, but there shall be no sacrifice of efficiency because of this provision.

Every person desiring to be examined shall present to the board a written application stating under oath his or her actual bona fide place of residence and how long he or she has resided at such place. Such application shall be accompanied by a certificate of good moral character from the commissioners court of the county in which the applicant resides; and it must appear that the applicant is a citizen of the United States and has resided in Texas not less than two years immediately preceding such application; provided this provision shall not apply to common laborers.

All applicants for a position with the classified service shall pay a fee of not less than two dollars (\$2) nor more than five dollars (\$5) before examination and all applicants for positions in the laborers class shall pay a fee of not less than one dollar (\$1) before examination, the amount of the fee shall be fixed by the board. These fees shall be used by the board for the purpose of paying the expenses of examinations and the maintenance of a sufficient force to conduct the duties prescribed by this act.

Sec. 4. When an appointing power decides to make an appointment or appointments within the classified service, he shall notify the board, which shall certify to such appointing power the names of three (3) persons who are eligible from an appropriate list in case one position is to be filled, and one additional name for each additional position to be filled. The appointing power shall fill the position or positions from such list, unless he finds none on the list suitable in his opinion for the position or positions to be filled. In such event he shall notify the board in writing, giving his reasons for rejecting all persons certified as being eligible, and if the board decides that the reasons given are sufficient, it shall certify another list of persons eligible for appointment in the same number as provided for the original list, and shall continue making new certifications until the appointing power finds a person or persons suitable in his opinion for appointment.

There shall be a period of probation of not less than ninety (90) days be-



fore any absolute appointment or employment shall be effective, during which period an employe may be dropped from the service without any statement of reason. But the board may restore any person so dropped to the list from which he was appointed if it sees fit to do so.

Vacancies and positions in the competitive class shall be filled as far as practicable by promotions from among persons holding positions in the lower grades in the department, office, board, commission or institution in which the vacancy exists. Promotions shall be based upon merit, to be ascertained by examinations under the direction of the board. The appointing power shall be the sole judge of whether a vacancy shall be filled by promotion or by original appointment.

Transfer of an employe from one department to another may be made with the consent of the appointing power in each department, where the position to which the employe is to be transferred is equivalent to the position from which he is transferred in the qualifications required and where consent to such transfer is made by the board. For temporary purposes the appointing power may require any employe to perform any service he requires.

Sec. 5. No person in the classified service of the State shall be removed therefrom, except for such cause as will promote the efficiency of said service, and for reasons given in writing to the board, and the person whose removal is sought shall have notice of the same and of any charges preferred against him, and be furnished with a copy thereof, and also be allowed a reasonable time for answering the same in writing and furnishing affidavits in support thereof. Witnesses may be heard by the appointing power, and they are required if subpoenaed to attend as in any court action if the appointing power so determines. After the hearing, if the employe under charges is dismissed by the appointing power, reduced in rank or in compensation, he may bring the proceedings to the attention of the board, which may restore the person removed or reduced in rank or compensation to the list from which he was appointed, but shall not again certify his name for new appointment to the appointing power by which he was removed or reduced in rank or compensation unless requested to do so by the appointing power.

Sec. 6. No person applying for ex-

amination by the board shall be questioned prior to the examination or in the examination as to his political or religious beliefs. No person in the classified service shall be asked to contribute to any political fund. No person in the classified service while in the building in which he is employed shall be asked to contribute to any fund of any character. Anyone violating the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not exceeding one hundred dollars (\$100).

Sec. 7. It shall be unlawful for the Comptroller or other auditing officer to issue any warrant on the Treasurer or other disbursing officer for the payment of any salary to any employe of the State unless a payroll containing the name and compensation of such person bears the certificate of the board that the person so named on such payroll was appointed in accordance with the provisions of this act.

Sec. 8. Should any provision of this law be held invalid, such holding shall not in any manner affect any of the other provisions hereof, and all laws and parts of laws in conflict herewith are hereby repealed.

Mr. Stevenson offered the following amendment to the amendment:

Amend the amendment to House bill No. 6, page 1, in line 21, by inserting a comma instead of a period after the second word "Act," and by using a lowercase "s" instead of a capital "S" in the word "said."

The amendment was adopted.

Mr. Stevenson offered the following amendment to the amendment:

Amend House bill No. 6 by adding thereto a new section as follows:

"Section 9. The fact that there is not now any provision in law for the appointment of certain employes of the State through the merit system and the further fact that this Called Session of the Fortieth Legislature is nearing the period of adjournment, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended and said rule is hereby suspended and this act shall take effect and be in force from and after its passage, and it is so enacted."

The amendment was adopted.

Question—Shall the (committee) amendment be adopted?



## SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 57, to the Committee on Education.

Senate bill No. 44, to the Committee on Education.

Senate bill No. 42, to the Committee on Education.

Senate bill No. 15, to the Committee on Appropriations.

## HOUSE BILL NO. 2 WITH SENATE AMENDMENTS.

Mr. Teer called up from the Speaker's table, with Senate amendments, for consideration of the amendments.

H. B. No. 2, A bill to be entitled "An Act making appropriations for the support and maintenance of the State government for the fiscal years ending August 31, 1928, and August 31, 1929, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

Mr. Teer moved that the House do not concur in the Senate amendments, and that a free conference committee be requested to adjust the differences between the two houses on the bill.

The motion prevailed.

## ADDRESS BY HON. BOB HANIE.

Mr. Cummings offered the following resolution:

Whereas, The Hon. Bob Hanie, President of the West Texas Chamber of Commerce and an influential and prominent citizen of West Texas, is now on the floor of the House and a guest of the city of Austin; therefore, be it

Resolved, That he be invited to the Speaker's stand and extended the courtesy of the floor.

Signed—Cummings, Gilbert, Boggs, Conway, Lewis, Hall, Merritt, Duvall, Beck, Smith of El Paso, Pool, Webb.

The resolution was read second time and was adopted.

In accordance with the above action, the Speaker announced the appointment of the following committee to escort Mr. Hanie to the Speaker's stand:

Messrs. Cummings, Gilbert, Boggs, Conway, Lewis, Hall, Merritt, Duvall, Beck, Smith of El Paso and Webb.

The committee having performed their duty, Speaker Bobbitt presented Mr.

Cummings, who introduced Hon. Bob Hanie to the House.

Hon. Bob Hanie then addressed the House.

## RELATING TO HOUSE BILL NO. 19.

On motion of Mr. Bobbitt, the Engrossing Clerk was authorized to make the following corrections in House bill No. 19:

Page 6, Section 10, line 4 of original bill, by inserting between words "day" and "is" the word "he"; also insert between the word "team" and word "for" the words "shall be exempt"; in same section, line 9, leave out words "any be."

Page 7, line 2, insert word "it"; line 7, change "five" to "three"; third line from bottom, change "they" to "he."

Page 10, insert after word "county," in Section 18, line 19, and before word "shall" the words "are for the tax, the court."

Insert after word "election" and before word "and" in same section and line, the words "and receive the returns and declare the result of said election."

## CONFERENCE COMMITTEE ON HOUSE BILL NO. 2.

In compliance with the request of the House for a conference committee on House bill No. 2, the Speaker makes the following appointment:

Messrs. Teer, Gilbert, Petsch, Holland and Satterwhite.

## RECESS.

On motion of Mr. Jacks, the House, at 12:10 o'clock p. m., took recess to 2:30 o'clock p. m. today.

## AFTERNOON SESSION.

The House met at 2:30 o'clock p. m. and was called to order by the Speaker.

## HOUSE BILL NO. 6 ON PASSAGE TO ENGROSSMENT.

The House resumed consideration of pending business, same being House bill No. 6, an act relating to civil service, on its passage to engrossment, with (committee) amendment by Mr. Wallace of Freestone, pending.

Mr. Smyth offered the following amendment to the amendment:

Amend Committee Substitute House bill No. 6 by adding a new line after line 23, page 2, to read as follows:

"The board is empowered to place in

the non-competitive class one not holding a license, certificate or diploma from some established engineering school, but who has had ten years' practical experience in sanitary, road and bridge engineering, either in one or all three branches."

The amendment was lost by the following vote:

## Yeas—44.

Acker.	Merritt.
Barnett.	Parish of Runnels.
Beck.	Pavlica.
Bird.	Pearce.
Cornwell.	Pool.
Davis.	Pope.
Faulk.	Powell.
Fly.	Renfro of Mills.
Gilbert.	Rogers of Shelby.
Gray.	Rowell.
Hall.	Shirley.
Hefley.	Sinks.
High.	Smith of El Paso.
Holder.	Smyth.
Holland.	Stevenson.
Johnson	Van Zandt.
of Dimmit.	Veatch.
Keeton.	Walker.
Kemble.	Wassell.
Kennedy.	Williams of Travis.
Land.	Williamson.
Lipscomb.	Woodall.

## Nays—56.

Albritton.	McKean.
Alexander.	Montgomery.
Anderson.	Murphy.
Barron.	Nabors.
Bass.	Nicholson.
Boggs.	Olsen.
Boon.	Petsch.
Branch.	Poage.
Brice.	Porter.
Brown.	Purl.
Conway.	Reagan.
Daniel.	Rogers of Hays.
DeBerry.	Runge.
Dielmann.	Sanders.
Duvall.	Shearer.
Enderby.	Sheats.
Finlay.	Simmons.
Forbes.	Smith of Nueces.
Foster.	Smith of Smith.
Gibson.	Snelgrove.
Graves.	Stell.
Harding.	Storey.
Harman.	Stout.
Hogg.	Swain.
Jacks.	Taylor.
Justice.	Teer.
Kayton.	Tillotson.
Kincaid.	Turner.
Kirkland.	Ware.
Lewis.	Webb.
Long.	Williams
Loy.	of Sabine.

## Present—Not Voting.

Black.	Wallace of Smith.
Farrar.	Whitaker.
Renfro	Young.
of Angelina.	

## Absent.

Avis.	Morse.
Bonham.	Moursund.
Cox.	Parrish of Travis.
Cummings.	Rawlins.
Denman.	Satterwhite.
Dunlap.	Shaver.
Eickenroht.	Sutton.
Kenyon.	Waddell.
Kirby.	Wallace
McCombs.	of Freestone.
McGill.	Wells.
Minor.	Woodruff.

## Absent—Excused.

Bateman.	King of Hopkins.
Fuchs.	King of
Gates.	Throckmorton.
Hagaman.	Kinnear.
Hornaday.	Loftin.
Johnson	Masterson.
of Anderson.	Smith of Atascosa.
Jones.	Wallace of Panola.

Mr. Van Zandt offered the following amendment to the amendment:

Amend Committee Substitute House bill No. 6 by adding after Section 7 thereof the following:

"Provided, however, that this act shall not apply to any city, town or village nor any employe of any county of this State whose compensation is paid in whole or in part out of the revenues of such counties or such city, town or village."

Mr. Tillotson raised a point of order on further consideration of the amendment on the ground that it is not germane to the purpose of the bill.

The Speaker sustained the point of order.

Mr. Williamson offered the following amendment to the amendment:

Amend Committee Substitute House bill No. 6 by striking out the words "and in that examination they shall be given credit for experience" in lines 13 and 14, page 3.

Signed—Williamson, Johnson, Purl.

The amendment was adopted.

Mr. Williamson offered the following amendment to the amendment:

Amend Committee Substitute House bill No. 6, page 3, by striking out all

of Section 3, paragraph 1, after the period in line 16.

Signed—Williamson, Johnson, Purl.  
The amendment was adopted.

Mr. Fly offered the following amendment to the amendment:

Amend Committee Substitute House bill No. 6, page 2, by striking out all of lines 29 to 32, inclusive, beginning with the word "employing," on line 29.

Question recurring on the amendment, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—65.

Mr. Speaker.	Loy.
Albritton.	McCombs.
Alexander.	McGill.
Anderson.	McKean.
Avis.	Montgomery.
Barnett.	Moursund.
Barron.	Parrish of Travis.
Bass.	Pavlica.
Bird.	Pope.
Boggs.	Porter.
Bonham.	Purl.
Brice.	Renfro
Conway.	of Angelina.
Cornwell.	Rogers of Hays.
Cummings.	Rogers of Shelby.
Denman.	Rowell.
Farrar.	Runge.
Faulk.	Sanders.
Fly.	Satterwhite.
Gibson.	Shaver.
Gilbert.	Sheats.
Graves.	Shirley.
Hall.	Smith of El Paso.
Harman.	Smyth.
Hefley.	Stell.
High.	Storey.
Hogg.	Taylor.
Holland.	Teer.
Keeton.	Turner.
Kirkland.	Wassell.
Land.	Webb.
Lewis.	Woodall.
Lipscomb.	Young.
Long.	

Nays—39.

Acker.	Johnson
Black.	of Dimmit.
Daniel.	Kayton.
Davis.	Kemble.
DeBerry.	Kennedy.
Enderby.	Kincaid.
Eickenroht.	Merritt.
Finlay.	Murphy.
Forbes.	Nabors.
Foster.	Nicholson.
Gray.	Olsen.
Holder.	Pearce.

Poage.	Stout.
Powell.	Tillotson.
Reagan.	Van Zandt.
Shearer.	Walker.
Simmons.	Wallace of Smith.
Smith of Nueces.	Ware.
Snelgrove.	Williams
Stevenson.	of Travis.

Present—Not Voting.

Jacks.	Whitaker.
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Absent.

Beck.	Pool.
Boon.	Rawlins.
Branch.	Sinks.
Brown.	Smith of Smith.
Cox.	Sutton.
Dielmann.	Swain.
Dunlap.	Veatch.
Duvall.	Waddell.
Harding.	Wallace
Justice.	of Freestone.
Kenyon.	Wells.
Kirby.	Williams
Minor.	of Sabine.
Morse.	Williamson.
Parish of Runnels.	Woodruff.
Petsch.	

Absent—Excused.

Bateman.	King of
Fuchs.	Throckmorton.
Gates.	Kinnear.
Hagaman.	Loftin.
Hornaday.	Masterson.
Johnson	Renfro of Mills.
of Anderson.	Smith of Atascosa.
Jones.	Wallace of Panola.
King of Hopkins.	

Mr. Fly offered the following amendment to the amendment:

Amend Committee Substitute House bill No. 6, pages 2 and 3, by striking out all of lines 33 down to and including line 40, on page 2, and all of lines 1, 2 and 3, on page 3.

The amendment was adopted.

Mr. Fly offered the following amendment to the amendment:

Amend Committee Substitute House bill No. 6, Section 3, page 3, by striking out of line 37 all after the word "application" and all of line 38.

The amendment was adopted.

Mr. Fly offered the following amendment to the amendment:

Amend Committee Substitute House bill No. 6 by striking out, Section 3, page 4, all after the word "examination," in line 1, down to and including the word "examination" in line 3.

The amendment was adopted.

Mr. Pope offered the following amendment to the amendment:

Amend Committee Substitute House bill No. 6, page 3, line 23, to read as follows after the period: "Examinations shall be held at such times and in such places in the State as the board may deem necessary."

Mr. Kemble moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

## Yeas—62.

Albritton.	Lipscomb.
Alexander.	Loy.
Anderson.	McCombs.
Boon.	McGill.
Branch.	Merritt.
Brice.	Moursund.
Cornwell.	Murphy.
DeBerry.	Nabors.
Denman.	Nicholson.
Duvall.	Parrish of Travis.
Enderby.	Petsch.
Farrar.	Pool.
Faulk.	Powell.
Finlay.	Rawlins.
Forbes.	Reagan.
Foster.	Renfro of Mills.
Gilbert.	Rogers of Shelby.
Graves.	Rowell.
Gray.	Shaver.
Hall.	Shearer.
Harman.	Shirley.
Hefley.	Simmons.
High.	Smith of El Paso.
Hogg.	Smith of Nueces.
Holland.	Stevenson.
Johnson	Swain.
of Dimmit.	Van Zandt.
Keeton.	Wallace of Smith.
Kemble.	Wells.
Kennedy.	Williamson.
Kincaid.	Young.
Land.	

## Nays—46.

Acker.	Parish of Runnels.
Avis.	Pavlica.
Barnett.	Pearce.
Bass.	Poage.
Bird.	Pope.
Black.	Purl.
Boggs.	Rogers of Hays.
Bonham.	Runge.
Cummings.	Sanders.
Daniel.	Satterwhite.
Davis.	Sheats.
Fly.	Sinks.
Holder.	Smith of Smith.
Jacks.	Smyth.
Kirkland.	Stell.
Lewis.	Storey.
Long.	Stout.

Taylor.	Whitaker.
Turner.	Williams
Veatch.	of Sabine.
Walker.	Williams
Ware.	of Travis.
Wassell.	Woodall.
Webb.	

Absent.

Barron.	Montgomery.
Beck.	Morse.
Brown.	Olsen.
Conway.	Porter.
Cox.	Renfro
Dunlap.	of Angelina.
Eickenroht.	Snelgrove.
Gibson.	Sutton.
Harding.	Teer.
Justice.	Tillotson.
Kayton.	Waddell.
Kenyon.	Wallace
Kirby.	of Freestone.
McKean.	Woodruff.
Minor.	

Absent—Excused.

Bateman.	King of Hopkins.
Dielmann.	King of
Fuchs.	Throckmorton.
Gates.	Kinnear.
Hagaman.	Loftin.
Hornaday.	Masterson.
Johnson	Smith of Atascosa.
of Anderson.	Wallace of Panola.
Jones.	

Mr. Anderson offered the following amendment to the amendment:

Amend Committee Substitute House bill No. 6, page 3, by striking out lines 39 and 40; page 4, by striking out lines 1 to 7.

Mr. Lipscomb offered the following substitute for the amendment:

Amend Committee Substitute House bill No. 6 by striking out all the words after the word "service," in line 29, down to the word "who," in line 30, page 1, and inserting in lieu thereof "to be paid by appropriations made from time to time by the Legislature."

On motion of Mr. Stevenson, the substitute amendment was tabled.

On motion of Mr. Stevenson, the amendment by Mr. Anderson was tabled.

Mr. Fly offered the following amendment to the amendment:

Amend Committee Substitute House bill No. 6, page 2, by striking out in lines 2 and 3 the words, "and laborers."

The amendment was adopted.

Mr. Kincaid offered the following amendment to the amendment:

Amend Committee Substitute House bill No. 6, page 4, line 11, by inserting



after the word "persons" the words "holding the highest grades."

The amendment was adopted.

Mr. Rogers of Shelby offered the following amendment to the amendment:

Amend Committee Substitute House bill No. 9, page 2, by striking out all of line 12, and insert in lieu thereof the following: "Duly licensed physicians, dentists, pharmacists, chemists and licensed nurses."

The amendment was lost by the following vote:

Yeas—40.

Albritton.	Nicholson.
Bass.	Parish of Runnels.
Brown.	Parrish of Travis.
Cornwell.	Poage.
Cummings.	Pope.
DeBerry.	Renfro of Mills.
Duvall.	Rogers of Shelby.
Farrar.	Runge.
Fly.	Sanders.
Gilbert	Satterwhite.
Gray.	Sheats.
Hall.	Shirley.
High.	Stell.
Johnson	Stevenson.
of Dimmit.	Taylor.
Kayton.	Wallace
Keeton.	of Freestone.
Kennedy.	Webb.
Kincaid.	Williams of Sabine.
Lewis.	Williams of Travis.
McCombs.	Young.

Nays—61.

Acker.	McGill.
Alexander.	McKean.
Avis.	Merritt.
Barnett.	Montgomery.
Bird.	Morse.
Black.	Moursund.
Boggs.	Murphy.
Boon.	Nabors.
Branch.	Olsen.
Brice.	Pavlica.
Daniel.	Pearce.
Davis.	Petsch.
Enderby.	Powell.
Faulk.	Renfro
Finlay.	of Angelina.
Forbes.	Rogers of Hays.
Foster.	Rowell.
Graves.	Shearer.
Harding.	Simmons.
Hefley.	Sinks.
Holder.	Smith of El Paso.
Justice.	Smith of Nueces.
Kemble.	Snelgrove.
Kirkland.	Storey.
Land.	Stout.
Lipscomb.	Swain.
Long.	Teer.
Loy.	Tillotson.

Van Zandt.  
Veatch.  
Walker.  
Wallace of Smith.

Ware.  
Wassell.  
Whitaker.  
Woodall.

Absent.

Anderson.	Kirby.
Barron.	Minor.
Beck.	Pool.
Bonham.	Porter.
Conway.	Purl.
Cox.	Rawlins.
Denman.	Shaver.
Dielmann.	Smith of Smith.
Dunlap.	Smyth.
Eickenroht.	Sutton.
Gibson.	Turner.
Harman.	Waddell.
Hogg.	Wells.
Holland.	Williamson.
Jacks.	Woodruff.
Kenyon.	

Absent—Excused.

Bateman.	King of
Fuchs.	Throckmorton.
Gates.	Kinnear.
Hagaman.	Loftin.
Hornaday.	Masterson.
Johnson	Reagan.
of Anderson.	Smith of Atascosa.
Jones.	Wallace of Panola.
King of Hopkins.	

Mr. McGill offered the following amendment to the amendment:

Amend Committee Substitute House bill No. 6, page 2, line 10, by striking out the words "the chief clerk in any State Department and."

The amendment was adopted.

(Mr. Rawlins in the chair.)

Mr. Wassell offered the following amendment to the amendment:

Amend Committee Substitute House bill No. 6, page 5, line 3, after the word "board," strike out the period and insert the following: "or on request of one department for any employe of another department who does not consent to such transfer, may by order of the Governor be temporarily or permanently transferred by the board."

Mr. Stevenson moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—71.

Mr. Speaker.	Alexander.
Acker.	Avis.
Albritton.	Barnett.

Bass.	Morse.
Beck.	Murphy.
Bird.	Nabors.
Boon.	Nicholson.
Branch.	Parish of Runnels.
Brown.	Parrish of Travis.
Cornwell.	Pearce.
Daniel.	Petsch.
Davis.	Pool.
DeBerry.	Pope.
Duvall.	Powell.
Finlay.	Reagan.
Fly.	Rogers of Hays.
Forbes.	Runge.
Foster.	Satterwhite.
Gilbert.	Shaver.
Graves.	Shearer.
Gray.	Simmons.
Harman.	Sinks.
Hefley.	Smith of El Paso.
High.	Smith of Nueces.
Hogg.	Snelgrove.
Jacks.	Stell.
Johnson	Stevenson.
of Dimmit.	Storey
Justice.	Stout.
Kayton.	Swain.
Keeton.	Teer.
Kemble.	Wallace
Kennedy.	of Freestone.
Kincaid.	Williams
Land.	of Travis.
Long.	Woodall.
Minor.	Young.
Montgomery.	

Nays—31.

Anderson.	Purl.
Black.	Renfro of Mills.
Boggs.	Rowell.
Brice.	Sanders.
Cummings.	Sheats.
Dielmann.	Shirley.
Faulk.	Taylor.
Hall.	Tillotson.
Harding.	Van Zandt.
Kirkland.	Walker.
Lewis.	Wallace of Smith.
Lipscomb.	Ware.
Loy.	Wassell.
Merritt.	Webb.
Moursund.	Williams
Pavlica.	of Sabine.

Present—Not Voting.

Farrar.	Whitaker.
Smith of Smith.	

Absent.

Barron.	Enderby.
Bonham.	Eickenroht.
Conway.	Gibson.
Cox.	Holder.
Denman.	Holland.
Dunlap.	Jones.

Kenyon.	Rogers of Shelby.
Kirby.	Smyth.
McCombs.	Sutton.
McGill.	Turner.
McKean.	Veatch.
Olsen.	Waddell.
Poage.	Wells.
Porter.	Williamson.
Rawlins.	Woodruff.
Renfro	
of Angelina.	

Absent—Excused.

Bateman.	King of
Fuchs.	Throckmorton.
Gates.	Kinnear.
Hagaman.	Loftin.
Hornaday.	Masterson.
Johnson	Smith of Atascosa.
of Anderson.	Wallace of Panola.
King of Hopkins.	

Mr. Gray offered the following amendment to the amendment:

Amend Committee Substitute House bill No. 6, page 5, line 5, after the word "required," by adding the words "and a refusal to perform the service requested shall be a sufficient reason to discharge employe."

The amendment was adopted.

Mr. Williamson offered the following amendment to the amendment:

Amend Committee Substitute House bill No. 6 by striking out all of lines 21, 22 and 23, on page 2.

The amendment was adopted.

Mr. Purl offered the following amendment to the amendment:

Amend Committee Substitute House bill No. 6 by adding after the word "character" in line 31, page 5, the following:

"Such employe shall not become actively engaged in behalf of or against any person who is a candidate for public office in this State."

The amendment was adopted.

Mr. Jacks offered the following amendment to the amendment:

Amend Committee Substitute House bill No. 6, page 6, by adding Section 9, as follows:

"Section 9. This act shall become effective from and after the second Tuesday in January, 1929."

(Speaker in the chair.)

Mr. Kemble moved to table the amendment by Mr. Jacks.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

## Yeas—70.

Mr. Speaker.	Morse.
Alexander.	Moursund.
Anderson.	Murphy.
Avis.	Nabors.
Barnett.	Nicholson.
Bass.	Parrish of Travis.
Beck.	Petsch.
Bird.	Poage.
Boggs.	Pope.
Bonham.	Powell.
Branch.	Renfro
Cornwell.	of Angelina.
Daniel.	Renfro of Mills.
DeBerry.	Rogers of Hays.
Dielmann.	Rowell.
Duvall.	Satterwhite.
Enderby.	Shaver.
Farrar.	Simmons.
Fly.	Sinks.
Forbes.	Smith of Smith.
Foster.	Smyth.
Gibson.	Stevenson.
Graves.	Stout.
Hall.	Taylor.
Harman.	Teer.
High.	Van Zandt.
Hogg.	Walker.
Holland.	Wallace
Johnson	of Freestone.
of Dimmit.	Wallace of Smith.
Keeton.	Wassell.
Kemble.	Webb.
Kincaid.	Wells.
Land.	Williams
Lewis.	of Travis.
Lipscomb.	Williamson.
McCombs.	Woodall.
McKean.	Young.
Montgomery.	

## Nays—32.

Albritton.	Pearce.
Black.	Purl.
Brice.	Reagan.
Conway.	Rogers of Shelby.
Cummings.	Runge.
Davis.	Sanders.
Faulk.	Sheats.
Gray.	Shirley.
Harding.	Snelgrove.
Holder.	Stell.
Jacks.	Storey.
Kennedy.	Turner.
Kirkland.	Ware.
Loy.	Whitaker.
Merritt.	Williams
Olsen.	of Sabine.
Pavlica.	

## Present—Not Voting.

Boon.

## Absent.

Acker.

Barron.

Brown.	Parish of Runnels.
Cox.	Pool.
Denman.	Porter.
Dunlap.	Rawlins.
Eickenroht.	Shearer.
Gilbert.	Smith of El Paso.
Hefley.	Smith of Nueces.
Justice.	Sutton.
Kayton.	Swain.
Kenyon.	Tillotson.
Kirby.	Veatch.
Long.	Waddell.
McGill.	Woodruff.
Minor.	

## Absent—Excused.

Bateman.	King of Hopkins.
Finlay.	King of
Fuchs.	Throckmorton.
Gates.	Kinnear.
Hagaman.	Loftin.
Hornaday.	Masterson.
Johnson	Smith of Atascosa.
of Anderson.	Wallace of Panola.
Jones.	

Mr. Bonham offered the following amendment to the amendment:

Amend Committee Substitute House bill No. 6, page 4, by adding at the close of line 7, the following:

"Whenever an examination is held, the board shall make public, and give to the press the list of questions, answers and all grades of each applicant taking such examination, and shall keep a full and complete record of all such examinations, questions, answers and grades open to inspection by any person upon application."

The amendment was adopted.

Mr. Hogg moved the previous question on the pending amendment and the bill, and the motion was duly seconded.

Question recurring on the motion for the main question, yeas and nays were demanded.

The main question was ordered by the following vote:

## Yeas—59.

Mr. Speaker.	Forbes.
Alexander.	Foster.
Avis.	Gilbert.
Barnett.	Graves.
Bass.	Hogg.
Beck.	Holder.
Boon.	Holland.
Branch.	Johnson
Conway.	of Dimmit.
Davis.	Keeton.
Dielmann.	Kemble.
Enderby.	Kennedy.
Finlay.	Kincaid.
Fly.	Land.

Lewis.	Shearer.
Long.	Sheats.
Montgomery.	Shirley.
Morse.	Sinks.
Moursund.	Smith of Smith.
Nicholson.	Smyth.
Parrish of Travis.	Snelgrove.
Petsch.	Stell.
Pope.	Stout.
Powell.	Teer.
Rawlins.	Van Zandt.
Rogers of Hays.	Wallace
Rogers of Shelby.	of Freestone.
Runge.	Wells.
Satterwhite.	Williamson.
Shaver.	

Nays—55.

Albritton.	Merritt.
Anderson.	Murphy.
Bird.	Nabors.
Black.	Olsen.
Boggs.	Parish of Runnels.
Bonham.	Pavlica.
Brice.	Pearce.
Brown.	Poage.
Cornwell.	Porter.
Cummings.	Purl.
Duvall.	Reagan.
Eickenroht.	Rowell.
Farrar.	Sanders.
Faulk.	Simmons.
Gibson.	Storey.
Gray.	Swain.
Hall.	Taylor.
Harding.	Turner.
Harman.	Walker.
Hefley.	Ware.
High.	Wassell.
Jacks.	Webb.
Justice.	Whitaker.
Kayton.	Williams
Kirkland.	of Sabine.
Lipscomb.	Woodall.
Loy.	Young.
McCombs.	

Absent.

Acker.	Renfro
Barron.	of Angelina.
Cox.	Smith of El Paso.
Daniel.	Smith of Nueces.
DeBerry.	Stevenson.
Denman.	Sutton.
Dunlap.	Tillotson.
Kenyon.	Veatch.
Kirby.	Waddell.
McGill.	Wallace of Smith.
McKean.	Williams
Minor.	of Travis.
Pool.	Woodruff.

Absent—Excused.

Bateman.	Hagaman.
Fuchs.	Hornaday.
Gates.	

Johnson	Kinnear.
of Anderson.	Loftin.
Jones.	Masterson.
King of Hopkins.	Renfro of Mills.
King of	Smith of Atascosa.
Throckmorton.	Wallace of Panola.

The (committee) amendment as amended was then adopted by the following vote:

Yeas—72.

Mr. Speaker.	Nicholson.
Alexander.	Parish of Runnels.
Bass.	Parrish of Travis.
Beck.	Petsch.
Bonham.	Poage.
Branch.	Pool.
Brown.	Pope.
Conway.	Porter.
Cornwell.	Powell.
Davis.	Rawlins.
DeBerry.	Renfro
Dielmann.	of Angelina.
Duvall.	Rogers of Hays.
Enderby.	Rogers of Shelby.
Finlay.	Rowell.
Fly.	Shaver.
Forbes.	Shearer.
Foster.	Sheats.
Gibson.	Simmons.
Gilbert.	Sinks.
Gray.	Smith of El Paso.
Hogg.	Smith of Smith.
Holder.	Stevenson.
Jacks.	Stout.
Johnson	Swain.
of Dimmit.	Teer.
Kayton.	Walker.
Keeton.	Wallace of Smith.
Kemble.	Wassell.
Kennedy.	Wells.
Kincaid.	Williams
Land.	of Sabine.
Lewis.	Williams
Lipscomb.	of Travis.
Montgomery.	Williamson.
Morse.	Woodall.
Moursund.	Young.
Nabors.	

Nays—43.

Albritton.	Hefley.
Anderson.	High.
Avis.	Justice.
Barnett.	Kirkland.
Bird.	Long.
Black.	Loy.
Boon.	Merritt.
Brice.	Murphy.
Cummings.	Olsen.
Daniel.	Pavlica.
Eickenroht.	Pearce.
Farrar.	Purl.
Faulk.	Reagan.
Harding.	Runge.
Harman.	Sanders.



Satterwhite.  
Shirley.  
Smyth.  
Snelgrove.  
Stell.  
Storey.

Taylor.  
Turner.  
Van Zandt.  
Ware.  
Webb.  
Whitaker.

Absent.

Acker.  
Barron.  
Boggs.  
Cox.  
Denman.  
Dunlap.  
Graves.  
Hall.  
Holland.  
Kenyon.  
Kirby.  
McCombs.

McGill.  
McKean.  
Minor.  
Smith of Nueces.  
Sutton.  
Tillotson.  
Veatch.  
Waddell.  
Wallace  
of Freestone.  
Woodruff.

Absent—Excused.

Bateman.  
Fuchs.  
Gates.  
Hagaman.  
Hornaday.  
Johnson  
of Anderson.  
Jones.  
King of Hopkins.

King of  
Throckmorton.  
Kinnear.  
Loftin.  
Masterson.  
Renfro of Mills.  
Smith of Atascosa.  
Wallace of Panola.

Mr. Kemble, by unanimous consent, offered the following amendment to the bill:

Amend House bill No. 6 by striking out all before the enacting clause and inserting in lieu thereof the following:

"A bill to be entitled, An Act providing that appointments to the State service shall be made on the basis of merit determined by examination with certain exceptions; providing that the State Board of Control shall administer this act and provide for examinations and rules therefor; defining competitive and non-competitive classes, and providing for fees for examinations; prescribing the status of employes now in the service of the State; providing a method of selection of employes and their removal; prohibiting solicitation of contributions of money, and prohibiting employes under this act to take part in politics and prescribing a penalty."

The amendment was adopted.

Question recurring on the engrossment of the bill, yeas and nays were demanded.

House bill No. 6 was then passed to engrossment by the following vote:

Yeas—66.

Mr. Speaker

Alexander.

Bass.  
Beck.  
Bonham.  
Branch.  
Brown.  
Conway.  
Cornwell.  
Davis.  
DeBerry.  
Dielmann.  
Duvall.  
Enderby.  
Finlay.  
Fly.  
Forbes.  
Foster.  
Gibson.  
Gilbert.  
Gray.  
Hall.  
Hogg.  
Holder.  
Jacks.  
Johnson  
of Dimmit.  
Kayton.  
Keeton.  
Kemble.  
Kennedy.  
Kincaid.  
Land.  
Lewis.  
Lipscomb.  
McCombs.

Montgomery.  
Morse.  
Moursund.  
Nabors.  
Nicholson.  
Parrish of Travis.  
Petsch.  
Pool.  
Pope.  
Powell.  
Rawlins.  
Renfro of Mills.  
Rogers of Hays.  
Rogers of Shelby.  
Rowell.  
Shaver.  
Shearer.  
Simmons.  
Sinks.  
Smith of El Paso.  
Smith of Smith.  
Stevenson.  
Stout.  
Swain.  
Teer.  
Wallace of Smith.  
Wassell.  
Wells.  
Williams  
of Travis.  
Williamson.  
Woodall.  
Young.

Nays—48.

Albritton.  
Anderson.  
Avis.  
Barnett.  
Bird.  
Black.  
Boon.  
Brice.  
Cummings.  
Daniel.  
Eickenroht.  
Farrar.  
Faulk.  
Harding.  
Harman.  
Hefley.  
High.  
Holland.  
Justice.  
Kirkland.  
Long.  
Loy.  
Merritt.  
Murphy.  
Olsen.

Pavlica.  
Pearce.  
Poage.  
Porter.  
Purl.  
Reagan.  
Runge.  
Sanders.  
Satterwhite.  
Sheats.  
Shirley.  
Smyth.  
Snelgrove.  
Stell.  
Storey.  
Taylor.  
Turner.  
Van Zandt.  
Walker.  
Ware.  
Webb.  
Whitaker.  
Williams  
of Sabine.

Absent.

Acker.  
Barron.  
Boggs.  
Cox.

Denman.  
Dunlap.  
Graves.  
Kenyon.

Kirby.	Sutton.
McGill.	Tillotson.
McKean.	Veatch.
Minor.	Waddell.
Parish of Runnels.	Wallace
Renfro	of Freestone.
of Angelina.	Woodruff.
Smith of Nueces.	

## Absent—Excused.

Bateman.	King of Hopkins.
Fuchs.	King of
Gates.	Throckmorton.
Hagaman.	Kinnear.
Hornaday.	Loftin.
Johnson	Masterson.
of Anderson.	Smith of Atascosa.
Jones.	Wallace of Panola.

MOTION TO TAKE UP HOUSE BILL  
NO. 6.

Mr. Stevenson moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 6 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—73.

Alexander.	Land.
Avis.	Lewis.
Barron.	Lipscomb.
Bass.	Long.
Beck.	McCombs.
Bonham.	Minor.
Branch.	Montgomery.
Brown.	Morse.
Conway.	Moursund.
Cornwell.	Murphy.
Cummings.	Nabors.
Davis.	Nicholson.
DeBerry.	Parish of Runnels.
Dielmann.	Parrish of Travis.
Duvall.	Petsch.
Finlay.	Pool.
Fly.	Pope.
Forbes.	Powell.
Foster.	Rawlins.
Gibson.	Renfro
Gilbert.	of Angelina.
Gray.	Renfro of Mills.
Hall.	Rogers of Hays.
Hogg.	Rogers of Shelby.
Holder.	Rowell.
Holland.	Satterwhite.
Johnson	Shaver.
of Dimmit.	Shearer.
Kayton.	Simmons.
Keeton.	Sinks.
Kemble.	Smith of El Paso.
Kennedy.	Smith of Smith.
Kincaid.	Stevenson.
Kirkland.	Stout.

Teer.	Wells.
Wallace	Williams
of Freestone.	of Travis.
Wallace of Smith.	Williamson.
Wassell.	Young.

Nays—46.

Albritton.	Poage.
Anderson.	Porter.
Barnett.	Purl.
Bird.	Reagan.
Black.	Runge.
Boggs.	Sanders.
Boon.	Sheats.
Brice.	Shirley.
Daniel.	Smyth.
Enderby.	Snelgrove.
Eickenroht.	Stell.
Farrar.	Storey.
Faulk.	Swain.
Harding.	Taylor.
Harman.	Turner.
Hefley.	Van Zandt.
High.	Walker.
Jacks.	Ware.
Justice.	Webb.
Loy.	Whitaker.
Merritt.	Williams
Olsen.	of Sabine.
Pavlica.	Woodall.
Pearce.	

Absent.

Acker.	McKean.
Cox.	Smith of Nueces.
Denman	Sutton.
Dunlap.	Tillotson.
Graves.	Veatch.
Kenyon.	Waddell.
Kirby.	Woodruff.
McGill.	

Absent—Excused.

Bateman.	King of Hopkins.
Fuchs.	King of
Gates.	Throckmorton.
Hagaman.	Kinnear.
Hornaday.	Loftin.
Johnson	Masterson.
of Anderson.	Smith of Atascosa.
Jones.	Wallace of Panola.

HOUSE BILL NO. 57 ON THIRD  
READING.

Mr. Smith of Smith moved that the regular order of business be suspended to take up and have placed on its third reading and final passage,

H. B. No. 57, A bill to be entitled "An Act amending Article 3107 of the Revised Civil Statutes of Texas, 1925, giving the executive committees of the political parties within this State the authority to determine the qualifications of the voters of such parties."

Mr. Finlay moved to table the motion, and the motion to table was lost.

Question then recurring on the motion by Mr. Smith of Smith, it prevailed.

The Speaker then laid House bill No. 57 before the House on its third reading and final passage.

The bill was read third time.

Mr. DeBerry offered the following amendment to the bill:

Amend House bill No. 57 by striking out the following: "Provided, that no person shall be denied the privilege of voting at any election merely because of the former political views held by such voter, nor because he may or may not belong to some secret order or any kind of an organization other than some other political party."

Mr. Nabors moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—58.

Albritton.	McCombs.
Anderson.	Murphy.
Barnett.	Nabors.
Bass.	Olsen.
Beck.	Parrish of Travis.
Bird.	Pavlica.
Boggs.	Petsch.
Boon.	Pope.
Brown.	Porter.
Conway.	Rawlins.
Cornwell.	Renfro
Cox.	of Angelina.
Cummings.	Rogers of Hays.
Daniel.	Runge.
Dielmann.	Sheats.
Faulk.	Shirley.
Finlay.	Smith of Nueces.
Gibson.	Snelgrove.
Gilbert.	Storey.
Graves.	Swain.
Harman.	Turner.
Hogg.	Walker.
Holder.	Wallace of Smith.
Holland.	Wassell.
Jacks.	Webb.
Justice.	Williams
Kayton.	of Travis.
Keeton.	Woodall.
Lewis.	Young.
Lipscomb.	

Nays—43.

Alexander.	Farrar.
Black.	Fly.
Branch.	Forbes.
Brice.	Foster.
Davis.	Gray.
DeBerry.	Hall.
Duvall.	Harding.
Enderby.	Hefley.

High.	Poage.
Johnson	Reagan.
of Dimmit.	Sanders.
Kemble.	Simmons.
Kennedy.	Sinks.
Kincaid.	Smith of Smith.
Kirkland.	Stell.
Land.	Stout.
Loy.	Taylor.
McGill.	Van Zandt.
Merritt.	Ware.
Morse.	Wells.
Moursund.	Williams
Parish of Runnels.	of Sabine.
Pearce.	

Absent.

Acker.	Rowell.
Avis.	Satterwhite.
Barron.	Shaver.
Bonham.	Shearer.
Denman.	Smith of El Paso.
Dunlap.	Smyth.
Eickenroht.	Stevenson.
Kenyon.	Sutton.
Kirby.	Teer.
Long.	Tillotson.
McKean.	Veatch.
Minor.	Waddell.
Montgomery.	Wallace
Nicholson.	of Freestone.
Pool.	Whitaker.
Powell.	Williamson.
Purl.	Woodruff.
Rogers of Shelby.	

Absent—Excused.

Bateman.	King of
Fuchs.	Throckmorton.
Gates.	Kinnear.
Hagaman.	Loftin.
Hornaday.	Masterson.
Johnson	Renfro of Mills.
of Anderson.	Smith of Atascosa.
Jones.	Wallace of Panola.
King of Hopkins.	

Mr. Smith of Smith offered the following amendment to the bill:

Amend House bill No. 57 by adding Section 2, to read as follows:

"Section 2. The fact that political parties within this State have not sufficient authority under our present statutes to properly function as a party, creates an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and same is hereby suspended."

The amendment was adopted.

Mr. Purl moved that the bill be referred to the Judiciary Committee.

Mr. Lipscomb moved to table the motion of Mr. Purl.

Yeas and nays were demanded, and motion to table prevailed by the following vote:

## Yeas—55.

Mr. Speaker.	Moursund.
Alexander.	Nabors.
Barnett.	Parrish of Travis.
Barron.	Petsch.
Bass.	Pool.
Beck.	Pope.
Boggs.	Rawlins.
Bonham.	Renfro of Mills.
Branch.	Rogers of Hays.
Conway.	Rogers of Shelby.
Cornwell.	Shearer.
Cummings.	Sinks.
Davis.	Smith of Nueces.
Forbes.	Smith of Smith.
Foster.	Stevenson.
Gibson.	Swain.
Graves.	Taylor.
Gray.	Tillotson.
Hall.	Van Zandt.
Harman.	Walker.
High.	Wallace of Smith.
Holland.	Ware.
Johnson	Wassell.
of Dimmit.	Wells.
Keeton.	Williams
Kemble.	of Sabine.
Kincaid.	Williams
Land.	of Travis.
Lipscomb.	Young.
Morse.	

## Nays—46.

Albritton.	Merritt.
Bird.	Murphy.
Black.	Olsen.
Boon.	Parish of Runnels.
Brice.	Pavlica.
Brown.	Poage.
Daniel.	Porter.
DeBerry.	Purl.
Dielmann.	Reagan.
Enderby.	Renfro
Farrar.	of Angelina.
Faulk.	Runge.
Finlay.	Sanders.
Gilbert.	Sheats.
Harding.	Shirley.
Hefley.	Simmons.
Holder.	Snelgrove.
Jacks.	Stell.
Justice.	Storey.
Kayton.	Stout.
Kennedy.	Turner.
Kirkland.	Webb.
Loy.	Woodall.
McCombs.	

## Present—Not Voting.

Duvall.

## Absent.

Acker.

Anderson.

Avis.	Pearce.
Cox.	Powell.
Denman.	Rowell.
Dunlap.	Satterwhite.
Eickenroht.	Shaver.
Fly.	Smith of El Paso.
Hogg.	Smyth.
Kenyon.	Sutton.
Kirby.	Teer.
Lewis.	Veatch.
Long.	Waddell.
McGill.	Wallace
McKean.	of Freestone.
Minor.	Whitaker.
Montgomery.	Williamson.
Nicholson.	Woodruff.

## Absent—Excused.

Bateman.	King of Hopkins.
Fuchs.	King of
Gates.	Throckmorton.
Hagaman.	Kinnear.
Hornaday.	Loftin.
Johnson	Masterson.
of Anderson.	Smith of Atascosa.
Jones.	Wallace of Panola.

House bill No. 57 was then finally passed by the following vote:

## Yeas—77.

Mr. Speaker.	Johnson
Albritton.	of Dimmit.
Alexander.	Keeton.
Barnett.	Kemble.
Barron.	Kincaid.
Bass.	Land.
Beck.	Lipscomb.
Boggs.	Loy.
Bonham.	Morse.
Boon.	Moursund.
Branch.	Murphy.
Brice.	Nabors.
Brown.	Parrish of Travis.
Conway.	Petsch.
Cornwell.	Pool.
Cummings.	Pope.
Davis.	Porter.
DeBerry.	Rawlins.
Enderby.	Reagan.
Farrar.	Renfro of Mills.
Finlay.	Rogers of Hays.
Fly.	Rogers of Shelby.
Forbes.	Shaver.
Foster.	Shearer.
Gibson.	Sheats.
Gilbert.	Shirley.
Graves.	Simmons.
Gray.	Sinks.
Hall.	Smith of Nueces.
Harman.	Smith of Smith.
High.	Snelgrove.
Hogg.	Stell.
Holder.	Stevenson.
Holland.	Swain.
Jacks.	Taylor.



Tillotson.	Wells.
Van Zandt.	Williams
Walker.	of Sabine.
Wallace of Smith.	Williams
Ware.	of Travis.
Wassell.	Woodall.
Webb.	

Nays—26.

Anderson.	Merritt.
Bird.	Olsen.
Black.	Pavlica.
Daniel.	Poage.
Dielmann.	Purl.
Faulk.	Renfro
Harding.	of Angelina.
Hefley.	Runge.
Justice.	Sanders.
Kayton.	Storey.
Kennedy.	Stout.
Kirkland.	Turner.
McCombs.	Whitaker.
McGill.	

Absent.

Acker.	Pearce.
Avis.	Powell.
Cox.	Rowell.
Denman.	Satterwhite.
Dunlap.	Smith of El Paso.
Duvall.	Smyth.
Eickenroht.	Sutton.
Kenyon.	Teer.
Kirby.	Veatch.
Lewis.	Waddell.
Long.	Wallace
McKean.	of Freestone.
Minor.	Williamson.
Montgomery.	Woodruff.
Nicholson.	Young.
Parish of Runnels.	

Absent—Excused.

Bateman.	King of Hopkins.
Fuchs.	King of
Gates.	Throckmorton.
Hagaman.	Kinnear.
Hornaday.	Loftin.
Johnson	Masterson.
of Anderson.	Smith of Atascosa.
Jones.	Wallace of Panola.

Reasons for Votes.

I voted "nay" on House bill No. 57 because of the fact that it gives too much power to the State executive committees, and the further fact that I deem it unconstitutional.

ANDERSON.

I vote "nay" on House bill No. 57 for the following reasons:

In the first place, it is doubtful if the bill will accomplish its purpose, in view of the recent holding of the Supreme Court of the United States.

On the other hand, admitting for the sake of argument that it would do so, then I am not willing to turn my government over to a small number of men who compose the State Executive Committee.

The South has always handled the "nigger" in a satisfactory manner, and I believe that it will continue to do so.

In my humble judgment, it is far more dangerous to entrust our whole political destiny to a few men than the scare of the negro question could ever be. It is a matter of common knowledge that we, the people of Texas, have always voted our prejudices too often in the past. I fear that the pendulum might swing too far one way or the other, and that the day might come back when a few clicks and klans might run out the untterrified Democrats, or that the untterrified Democrats might get in the saddle and oust the kluckers, as they came close to doing in the past.

I believe the whole affair makes a mountain out of nothingness, and that it is un-American and un-Democratic. I had rather take my chances on handling the "nigger" than I would on thirty-one men who would have final authority to determine who should vote or who should not vote, and who should be a Democrat or not be a Democrat.

The Constitution of Texas prescribes the qualifications of a voter. About that there can be no doubt. The Supreme Court has held a "nigger" can vote under the present primary law. About that there can be no doubt. If the primary election is an "election" in the proper and legal sense, then a "nigger" can vote, and no law can stop him. If a primary is not an election, as our Texas courts have said in the past, the State Executive Committee would have the same blanket authority to judge the qualifications of its own members, as does the Baptist Church. It could ostracize a man at will and set up a standard to suit itself. In that respect and to that extent we would be going back to the days of crowns and jeweled baubles or Bolsheviki Russia.

It was Abraham Lincoln who said, "The heart of the American people has never failed in a great crisis, and it never will." To that philosophy I conform, when the whole people have a chance to record their sentiments. But I am not willing to trust my government and politics to what could very easily become an oligarchy.

STOUT.

## BILL ORDERED PRINTED.

Mr. Sinks moved that the (committee) substitute to House bill No. 38, reported adversely with a minority favorable report, be printed.

Yeas and nays were demanded, and the motion to print prevailed by the following vote:

Yeas—81.

Mr. Speaker.	Minor.
Acker.	Morse.
Anderson.	Moursund.
Avis.	Nicholson.
Barnett.	Olsen.
Beck.	Pearce.
Black.	Petsch.
Boggs.	Poage.
Bonham.	Pope.
Branch.	Porter.
Brice.	Purl.
Conway.	Rawlins.
Cornwell.	Renfro
Cummings.	of Angelina.
Davis.	Renfro of Mills.
Denman.	Shearer.
Dielmann.	Sheats.
Duvall.	Shirley.
Enderby.	Simmons.
Eickenroht.	Sinks.
Finlay.	Smith of El Paso.
Fly.	Smith of Nueces.
Forbes.	Smith of Smith.
Foster.	Snelgrove.
Gibson.	Stell.
Gilbert.	Stevenson.
Graves.	Taylor.
Hall.	Teer.
Harman.	Tillotson.
High.	Turner.
Holder.	Van Zandt.
Holland.	Veatch.
Johnson	Walker
of Dimmit.	Wallace
Kayton.	of Freestone.
Kemble.	Wassell.
Kennedy.	Webb.
Kincaid.	Wells.
Land.	Williams
Lewis.	of Sabine.
McCombs.	Williams
McGill.	of Travis.
McKean.	Young.

Nays—26.

Albritton.	Kirkland.
Alexander.	Lipscomb.
Bass.	Long.
Bird.	Merritt.
Boon.	Murphy.
Farrar.	Nabors.
Faulk.	Pavlica.
Harding.	Pool.

Powell.	Smyth.
Reagan.	Stout.
Rogers of Hays.	Wallace of Smith.
Rogers of Shelby.	Ware.
Runge.	Woodall.
Sanders.	

Absent.

Barron.	Loy.
Brown.	Montgomery.
Cox.	Parish of Runnels.
Daniel.	Parrish of Travis.
DeBerry.	Rowell.
Dunlap.	Satterwhite.
Gray.	Shaver.
Hefley.	Storey.
Hogg.	Sutton.
Jacks.	Swain.
Justice.	Waddell.
Keeton.	Whitaker.
Kenyon.	Williamson.
Kirby.	Woodruff.

Absent—Excused.

Bateman.	King of Hopkins.
Fuchs.	King of
Gates.	Throckmorton.
Hagaman.	Kinnear.
Hornaday.	Loftin.
Johnson	Masterson.
of Anderson.	Smith of Atascosa.
Jones.	Wallace of Panola.

## MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, May 31, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has granted the request of the House for appointment of a free conference committee on House bill No. 2. The following are appointed as conferees on part of the Senate:

Senators Wood, Woodward, Hall, Russek, Fairchild.

Has passed

S. B. No. 100, A bill to be entitled "An Act to create Lamar-Delta County Levee Improvement District No. 2 in counties of Lamar and Delta," etc.

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

## BILL ORDERED NOT PRINTED:

On motion of Mr. Shirley, House bill No. 93 was ordered not printed.

## HOUSE BILL NO. 75 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 75, A bill to be entitled "An Act amending Article 2094 of the Revised Civil Statutes of 1925, relating to the selection of jurors for service in the district and county courts, so as to make said article apply in any county having a city of as many as 20,000 population, or cities containing an aggregate population of as many as 20,000, as shown by the preceding Federal census, and declaring an emergency."

The bill was read third time and was passed by the following vote:

Yeas—100.

Mr. Speaker.	Loftin.
Albritton.	Loy.
Alexander.	McCombs.
Anderson.	McGill.
Barron.	Merritt.
Beck.	Minor.
Bird.	Montgomery.
Boggs.	Morse.
Bonham.	Moursund.
Boon.	Murphy.
Branch.	Nabors.
Brice.	Olsen.
Brown.	Parish of Runnels.
Conway.	Parrish of Travis.
Cornwell.	Pavlica.
Cummings.	Poage.
Daniel.	Pool.
Davis.	Pope.
DeBerry.	Porter.
Dielmann.	Rawlins.
Duvall.	Reagan.
Enderby.	Renfro of Mills.
Farrar.	Rogers of Hays.
Faulk.	Rogers of Shelby.
Finlay.	Runge.
Forbes.	Sanders.
Foster.	Shaver.
Gibson.	Shearer.
Gilbert.	Sheats.
Graves.	Shirley.
Gray.	Simmons.
Hall.	Sinks.
Harding.	Smith of Nueces.
Harman.	Smith of Smith.
Hefley.	Stell.
High.	Storey.
Hogg.	Stout.
Holder.	Swain.
Holland.	Taylor.
Jacks.	Tillotson.
Johnson	Turner.
of Dimmit.	Van Zandt.
Keeton.	Walker.
Kemble.	Wallace of Smith.
Kennedy.	Ware.
Kincaid.	Wassell.
Kirkland.	Webb.
Land.	Wells.
Lipscomb.	Whitaker.

Williams  
of Sabine.

Williams  
of Travis.  
Woodall.

Nays—1.

Black.

Present—Not Voting.

Renfro  
of Angelina.

Absent.

Acker.  
Avis.  
Barnett.  
Bass.  
Cox.  
Denman.  
Dunlap.  
Eickenroht.  
Fly.  
Justice.  
Kayton.  
Kenyon.  
Kirby.  
Lewis.  
Long.  
McKean.  
Nicholson.  
Pearce.

Petsch.  
Powell.  
Purl.  
Rowell.  
Satterwhite.  
Smith of El Paso.  
Smyth.  
Snelgrove.  
Stevenson.  
Sutton.  
Teer.  
Veatch.  
Waddell.  
Wallace  
of Freestone.  
Williamson.  
Woodruff.  
Young.

Absent—Excused.

Bateman.  
Fuchs.  
Gates.  
Hagaman.  
Hornaday.  
Johnson  
of Anderson.  
Jones.

King of Hopkins.  
King of  
Throckmorton.  
Kinnear.  
Masterson.  
Smith of Atascosa.  
Wallace of Panola.

#### HOUSE BILL NO. 86 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 86, A bill to be entitled "An Act creating a more efficient road system for Polk county, Texas; vesting the commissioners court with authority to lay out, drain, repair and maintain such system of roads, and make contracts therefor; purchase teams, tools and machinery therefor; to make payment therefor; giving said court authority to procure and occupy lands and make payment therefor," etc.

The bill was read second time and was passed to engrossment.

#### HOUSE BILL NO. 86 ON THIRD READING.

Mr. Murphy moved that the constitutional rule requiring bills to be read on

three several days be suspended and that House bill No. 86 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—99.

Mr. Speaker.	Merritt.
Alexander.	Minor.
Barron.	Montgomery.
Beck.	Morse.
Bird.	Moursund.
Black.	Murphy.
Boggs.	Nabors.
Bonham.	Olsen.
Boon.	Parish of Runnels.
Branch.	Parrish of Travis.
Brice.	Pavlica.
Brown.	Poage.
Conway.	Pope.
Cornwell.	Porter.
Cummings.	Rawlins.
Daniel.	Renfro
Davis.	of Angelina.
DeBerry.	Renfro of Mills.
Dielmann.	Rogers of Hays.
Duvall.	Rogers of Shelby.
Enderby.	Rowell.
Farrar.	Runge.
Faulk.	Sanders.
Finlay.	Shaver.
Forbes.	Shearer.
Foster.	Sheats.
Gibson.	Shirley.
Gilbert.	Simmons.
Graves.	Sinks.
Gray.	Smith of Nueces.
Hall.	Smith of Smith.
Harding.	Stell.
Harman.	Storey.
Hefley.	Stout.
High.	Swain.
Hogg.	Taylor.
Holder.	Tillotson.
Holland.	Turner.
Jacks.	Van Zandt.
Johnson	Walker.
of Dimmit.	Wallace of Smith.
Kayton.	Ware.
Keeton.	Wassell.
Kemble.	Webb.
Kennedy.	Wells.
Kincaid.	Whitaker.
Kirkland.	Williams
Land.	of Sabine.
Lipscomb.	Williams
Long.	of Travis.
McCombs.	Woodall.
McGill.	

## Nays—1.

Albritton.

## Absent.

Acker.	Barnett.
Anderson.	Bass.
Avis.	Cox.

Denman.	Purl.
Dunlap.	Satterwhite.
Eickenroht.	Smith of El Paso.
Fly.	Smyth.
Justice.	Snelgrove.
Kenyon.	Stevenson.
Kirby.	Sutton.
Lewis.	Teer.
Loy.	Veatch.
McKean.	Waddell.
Nicholson.	Wallace
Pearce.	of Freestone.
Petsch.	Williamson.
Pool.	Woodruff.
Powell.	Young.

## Absent—Excused.

Bateman.	King of
Fuchs.	Throckmorton.
Gates.	Kinnear.
Hagaman.	Loflin.
Hornaday.	Masterson.
Johnson	Reagan.
of Anderson.	Smith of Atascosa.
Jones.	Wallace of Panola.
King of Hopkins.	

The Speaker then laid House bill No. 86 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—100.

Mr. Speaker.	Graves.
Albritton.	Gray.
Alexander.	Hall.
Barron.	Harding.
Beck.	Harman.
Bird.	Hefley.
Black.	High.
Boggs.	Hogg.
Bonham.	Holder.
Boon.	Holland.
Branch.	Hornaday.
Brice.	Jacks.
Brown.	Johnson
Conway.	of Dimmit.
Cornwell.	Kayton.
Cox.	Keeton.
Cummings.	Kemble.
Daniel.	Kincaid.
Davis.	Kirkland.
DeBerry.	Land.
Dielmann.	Lipscomb.
Duvall.	McCombs.
Enderby.	McGill.
Farrar.	Merritt.
Faulk.	Minor.
Finlay.	Montgomery.
Forbes.	Morse.
Foster.	Moursund.
Gibson.	Nabors.
Gilbert.	Parish of Runnels.



Parrish of Travis.	Smith of Smith.
Pavlica.	Stell.
Poage.	Storey.
Pool.	Stout.
Pope.	Swain.
Porter.	Taylor.
Rawlins.	Tillotson.
Reagan.	Turner.
Renfro	Van Zandt.
of Angelina.	Walker.
Renfro of Mills.	Wallace of Smith.
Rogers of Hays.	Ware.
Rogers of Shelby.	Wassell.
Runge.	Webb.
Sanders.	Wells.
Shearer.	Whitaker.
Sheats.	Williams
Shirley.	of Sabine.
Simmons.	Williams
Sinks.	of Travis.
Smith of Nueces.	Woodall.

## Absent.

Acker.	Petsch.
Anderson.	Powell.
Avis.	Purl.
Barnett.	Rowell.
Bass.	Satterwhite.
Denman.	Shaver.
Dunlap.	Smith of El Paso.
Eickenroht.	Smyth.
Fly.	Snelgrove.
Justice.	Stevens.
Kenyon.	Sutton.
Kirby.	Teer.
Lewis.	Veatch.
Long.	Waddell.
Loy.	Wallace
McKean.	of Freestone.
Murphy.	Williamson.
Nicholson.	Woodruff.
Olsen.	Young.
Pearce.	

## Absent—Excused.

Bateman.	King of Hopkins.
Fuchs.	King of
Gates.	Throckmorton.
Hagaman.	Kinnear.
Kennedy.	Loftin.
Johnson	Masterson.
of Anderson.	Smith of Atascosa.
Jones.	Wallace of Panola.

## MESSAGE FROM THE GOVERNOR.

Mr. Carl L. Phinney, assistant secretary to the Governor, appeared at the bar of the House and, being duly announced, presented the following message from the Governor, which was read to the House, as follows:

Executive Office, May 31, 1927.

To the Honorable Fortieth Legislature of Texas.

Gentlemen: At the request of certain of your members, the question of the passage of the attached bills is submitted for your consideration.

It is my information that the State of Texas holds a claim against the United States for reimbursement for certain moneys paid to citizens of this State in connection with the campaign against the pink boll worm. The amount of this claim is said to be approximately one hundred and twenty-five thousand dollars. It is suggested that the Legislature should empower some competent authority to take steps toward the collection of this claim.

I submit for your consideration the subject of passing a penal statute to adequately define and fix an appropriate penalty for the offense of exhibiting slot machines and like character of gambling devices.

Respectfully submitted,  
DAN MOODY,  
Governor of Texas.

A bill to be entitled "An Act to amend Articles 6162, 6163, 6164 and 6165, of Title 107, Revised Texas Civil Statutes of 1925, defining and regulating loan brokers; providing punishment for the violation of this law; requiring loan brokers to file affidavits in the county clerk's office, giving name of owners and agents of said business; requiring loan brokers to execute a good and sufficient bond in the sum of one thousand dollars, payable to the county judge and his successors in office, conditioned that any person who may be injured or damaged for usury charged by such loan broker may sue and recover therefor; providing a reasonable attorney's fee may be allowed upon recovery of a judgment against such loan broker by the court not to exceed fifty dollars; providing sale or assignment of wages or any lien upon household and kitchen furniture made by married men to such loan broker, shall be joined by the wife and duly acknowledged as in the case of deeds; providing that if any part of this act should be declared unconstitutional it shall not affect any other part of the same; repealing all of Articles 1127, 1128, 1129, Title 14, Chapter 12, of the Revised Criminal Code of 1925 and all other laws in conflict herewith, and declaring an emergency."

A bill to be entitled "An Act to amend Article 1645 of the Revised Civil Statutes of Texas, by providing for a minimum salary to be paid county auditors in counties with a population not less than 35,000 nor more than 37,500 inhabitants."

A bill to be entitled "An Act creating Cameron County Water Control and Improvement District No. 6 of Cameron county, Texas; defining its boundaries, and which district embraces the same territory included within Cameron County Water Improvement District No. 6; providing that the management and control of the said Cameron County Water Control and Improvement District No. 6 shall be by a board of five directors; providing that the said Cameron County Water Control and Improvement District No. 6 shall be a conservation and reclamation district, and shall be governed by the provisions of Section 59, Article 16, of the Constitution, and by the provisions of Chapter 25, of the General Laws passed by the Thirty-ninth Legislature, at its Regular Session in 1925, relating to water control and improvement district governed by said Section 59, Article 16, of the Constitution, except as herein otherwise provided; changing the name of such district from Cameron County Water Improvement District No. 6 to Cameron County Water Control and Improvement District No. 6, and converting said water improvement district into a water control and improvement district without impairment of obligations; providing the title to all property and rights in property now owned by Cameron County Water Improvement District No. 6 are vested in Cameron County Water Control and Improvement District No. 6, and that same shall be held and used under the provisions of Section 59, Article 16 of the State Constitution, and of Chapter 25 of the General Laws passed by the Thirty-ninth Legislature at its Regular Session in 1925, as same now exists or may be hereafter amended; providing that the said water control and improvement district shall assume and discharge all legal obligations, contracts and indebtedness legally created by Cameron County Water Improvement District No. 6; validating the bonds heretofore issued and sold by said Cameron County Water Improvement District No. 6; providing that it shall not be necessary for an election to confirm the organization of the district created by this act; providing that proof of publication of constitutional

notice required in the enactment of this act has been duly made; enacting provisions incident and necessary to the subject and purpose of this act, and declaring an emergency."

A bill to be entitled "An Act creating Cameron County Water Control and Improvement District No. 7 of Cameron county, Texas; defining its boundaries and which district embraces the same territory included within Cameron County Water Improvement District No. 7; providing that the management and control of the said Cameron County Water Control and Improvement District No. 7 shall be by a board of five directors; providing that the said Cameron County Water Control and Improvement District No. 7 shall be a conservation and reclamation district, and shall be governed by the provisions of Section 59, Article 16, of the Constitution, and by the provisions of Chapter 25, of the General Laws passed by the Thirty-ninth Legislature, at its Regular Session in 1925, relating to water control and improvement districts governed by said Section 59, Article 16 of the Constitution, except as herein otherwise provided; changing the name of such district from Cameron County Water Improvement District No. 7 to Cameron County Water Control and Improvement District No. 7, and converting said water improvement district into a water control and improvement district without impairment of obligations; providing the title to all property and rights in property now owned by Cameron County Water Improvement District No. 7 are vested in Cameron County Water Control and Improvement District No. 7, and that same shall be held and used under the provisions of Section 59, Article 16 of the State Constitution, and of Chapter 25 of the General Laws passed by the Thirty-ninth Legislature at its Regular Session in 1925, as same now exist or may be hereafter amended; providing that the said water control and improvement district shall assume and discharge all legal obligations, contracts and indebtedness legally created by Cameron County Water Improvement District No. 7; providing that it shall not be necessary for an election to confirm the organization of the district created by this act; providing that proof of publication of constitutional notice required in the enactment of this act has been duly made; enacting provisions incident and necessary to the sub-

ject and purpose of this act, and declaring an emergency."

A bill to be entitled "An Act creating Cameron County Water Control and Improvement District No. 5 of Cameron county, Texas; defining its boundaries, and which district embraces the same territory included within Cameron County Water Improvement District No. 5; providing that the management and control of the said Cameron County Water Control and Improvement District No. 5 shall be by a board of five directors; providing that the said Cameron County Water Control and Improvement District No. 5 shall be a conservation and reclamation district, and shall be governed by the provisions of Section 59, Article 16, of the Constitution, and by the provisions of Chapter 25, of the General Laws passed by the Thirty-ninth Legislature, at its Regular Session in 1925, relating to water control and improvement districts governed by said Section 59, Article 16, of the Constitution, except as herein otherwise provided; changing the name of such district from Cameron County Water Improvement District No. 5 to Cameron County Water Control and Improvement District No. 5, and converting said water improvement district into a water control and improvement district without impairment of obligations; providing the title to all property and rights in property now owned by Cameron County Water Improvement District No. 5 are vested in Cameron County Water Control and Improvement District No. 5, and that same shall be held and used under the provisions of Section 59, Article 16, of the State Constitution, and of Chapter 25, of the General Laws passed by the Thirty-ninth Legislature at its Regular Session in 1925, as same now exists or may be hereafter amended; providing that the said water control and improvement district shall assume and discharge all legal obligations, contracts and indebtedness legally created by Cameron County Water Improvement District No. 5; validating the bonds heretofore issued and sold by said Cameron County Water Improvement District No. 5; providing that it shall not be necessary for an election to confirm the organization of the district created by this act; providing that proof of publication of constitutional notice required in the enactment of this act has been duly made; enacting provisions incident and necessary to the subject and purpose of this act, and declaring an emergency."

A bill to be entitled "An Act amending Article 545, Revised Criminal Statutes, 1925."

A bill to be entitled "An Act authorizing the creation of junior college districts for the purpose of establishing, maintaining, operating and supporting junior colleges; providing the conditions upon which and the method by which such districts may be created; providing for board of junior college trustees; authorizing the levy, assessment and collection of taxes for the support and maintenance of junior colleges within such districts and the issuance of bonds by such districts; recognizing and validating the acts of cities or independent school districts heretofore had looking to the establishment and organization of junior colleges, and declaring an emergency."

A bill to be entitled "An Act to ratify and adopt in principle the Canadian River Compact between the State of New Mexico, Texas and Oklahoma, executed on the 31st day of December, 1926, by the Commissioners of said States, which ratification and adoption is made subject to certain conditions; making an appropriation of \$30,000 to enable the investigation provided for, and declaring an emergency."

A bill to be entitled "An Act creating and establishing the Harris County Houston Ship Channel Navigation District of Harris County, Texas, under Article 3, Section 52, of the Constitution of the State of Texas, for the purpose of development of deep water navigation, the improvement of rivers, bays, creeks, streams or canals within or adjacent to such district, with the power and authority to acquire, purchase, take over, construct, maintain, operate, develop and regulate wharves, docks, warehouses, grain elevators, bunkering facilities, belt railroads, floating plants, lighterage, lands, towing facilities and all other facilities or aids incident to or necessary to the operation or development of ports or waterways within the district and extending to the Gulf of Mexico, provided in Chapter 9, Revised Statutes of 1925; describing said district by metes and bounds; ratifying and validating all orders, notices, elections and proceedings of the commissioners court, navigation board and navigation commissioners and other officers of Harris county and of the Harris County Houston Ship Channel Navigation District of Harris County, Texas; ratifying and validating the original petition for the establishment of said district and all



subsequent orders, notices, hearings, etc., had thereon; and ratifying and validating all notices of elections, the election returns thereof and all orders with respect to the issuance of bonds, the levying of taxes to create sinking funds to retire all of the bonds of said district and to pay the interest thereon; ratifying and confirming the petition, election and results thereof upon the adoption of the special powers for port facilities, conferred by Subdivision 2, Chapter 9, Revised Statutes, 1925, and all orders made pursuant thereto by the navigation board and the commissioners court; ratifying, confirming and validating the petition, order of election, notices, election returns, canvass by the court of the votes cast at said election, order authorizing the issuance of bonds, and the bonds in the sum of one million five hundred thousand (\$1,500,000) dollars, voted at an election held in said district on December 4, 1926; authorizing the commissioners court and county officers to levy, assess, and collect taxes sufficient to pay interest on such bonds and the principal thereof as they mature; authorizing the navigation commissioners to sell said bonds, the Attorney General to register the same; constituting all orders of the commissioners court and orders of the navigation and canal commission, or certified copies thereof, evidence in the courts, and declaring an emergency."

A bill to be entitled "An Act to amend Article 1035 of the Code of Criminal Procedure of the State of Texas for 1925, so as to provide that the Comptroller shall examine each claim or cost bill, giving the Comptroller authority to make an investigation as to the correctness of the same before drawing a warrant; providing that a warrant shall be drawn for only such items that are found to be correct; providing that the action of the district judge in approving cost bills shall not be final, but said bills shall be subject to an audit by the Comptroller, and declaring an emergency."

A bill to be entitled "An Act repealing Article 2538, Revised Civil Statutes of 1925, providing for the investment of State funds in Government bonds; repealing Articles 2539, 2540, 2541, 2542 and 2543, creating and providing for the functioning of a rate making board; amending Article 2525, Revised Civil Statutes of 1925, by abolishing the definition of 'Rate Board'; amending Article 2526, Revised Civil Statutes of 1925, relating to 'bids' by banks for

State funds and the length of time for which a depository is created; amending Article 2528, Revised Civil Statutes of 1925, and fixing the rate of interest to be paid by State depositories; amending Article 2529, Revised Civil Statutes of 1925, relating to the collateral security to be pledged by depositories for securing State funds and eliminating the requirement that bonds be registered; amending Article 2532, Revised Civil Statutes of 1925, and defining the meaning of 'current demands on the treasury'; amending Article 2533, Revised Civil Statutes of 1925, so as to provide for the waiving of the payment of interest by reserve depositories under certain circumstances and fixing the rate of interest to be paid by such depositories, and declaring an emergency."

A bill to be entitled "An Act providing that liens for street improvements created by written contract of the owner or owners of land, or by interest therein, shall be superior liens upon such improvements and providing for the enforcement thereof, and declaring an emergency."

A bill to be entitled "An Act to authorize incorporated cities, towns and villages incorporated under either general or special law, including those operating under a special charter or amendments of charter adopted pursuant to the Home Rule provisions of the Constitution, to cause to be improved streets, avenues, alleys, highways, boulevards, drives, public places, squares, or any portion or portions thereof, and to assess part of the cost thereof against abutting property and owners thereof, and against railroads, street railroads or interurbans and owners thereof occupying, using or crossing streets, avenues, alleys, highways, boulevards, drives, public places or squares improved, and to provide for the enforcement and collection of such assessments, and providing the powers, terms and provisions of this act shall not repeal any charter provision or law, general or special, but shall exist as alternative powers, terms and provisions, and providing that any city which shall adopt or amend its own charter under the Home Rule provisions of the Constitution may provide therein for any of the powers, terms or provisions thereof, as part of, in lieu of, or an alternative to any charter provision, and providing the necessary matters and things incidental to and necessary for the carrying out of the purposes of this act, and declaring an emergency."



## HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees as follows:

By Mr. Parrish of Travis, Mr. Gibson and Mr. Long:

H. B. No. 121, A bill to be entitled "An Act to amend Article 432, Chapter 6, of the Revised Civil Statutes of Texas of 1925, relating to reserved deposits in savings departments of State banks, and declaring an emergency."

Referred to Committee on Banks and Banking.

By Mr. Holland:

H. B. No. 122, A bill to be entitled "An Act to amend Articles 6162, 6163, 6164 and 6165, of Title 107, Revised Texas Civil Statutes of 1925, defining and regulating loan brokers; providing punishment for the violation of this law; requiring loan brokers to file affidavits in the county clerk's office, giving name of owner and agents of said business; requiring loan brokers to execute a good and sufficient bond in the sum of one thousand dollars, payable to the county judge and his successors in office, conditioned that any person who may be injured or damaged for usury charged by such loan broker may sue and recover therefor; providing a reasonable attorney's fee may be allowed upon recovery of a judgment against such loan broker by the court not to exceed fifty dollars; providing sale or assignment of wages or any lien upon household and kitchen furniture made by married men to such loan broker shall be joined by the wife and duly acknowledged, as in the case of deeds; providing that if any part of this act should be declared unconstitutional it shall not affect any other part of the same; repealing all of Articles 1127, 1128, 1129, Title 14, Chapter 12, of the Revised Criminal Code of 1925, and all other laws in conflict herewith, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. DeBerry:

H. B. No. 123, A bill to be entitled "An Act to amend Article 1645 of the Revised Civil Statutes of Texas, by providing for a minimum salary to be paid county auditors in counties with a population not less than 35,000 nor more than 37,500 inhabitants."

Referred to Committee on State Affairs.

By Mr. Hornaday:

H. B. No. 124, A bill to be entitled "An Act creating Cameron County Water Control and Improvement District No. 6 of Cameron county, Texas; defining its boundaries, and which district embraces the same territory included within Cameron County Water Improvement District No. 6; providing that the management and control of the said Cameron County Water Control and Improvement District No. 6 shall be by a board of five directors; providing that the said Cameron County Water Control and Improvement District No. 6 shall be a conservation and reclamation district, and shall be governed by the provisions of Section 59, Article 16 of the Constitution, and by the provisions of Chapter 25 of the General Laws passed by the Thirty-ninth Legislature, at its Regular Session in 1925, relating to water control and improvement districts governed by said Section 59, Article 16, of the Constitution, except as herein otherwise provided; changing the name of such district from Cameron County Water Improvement District No. 6 to Cameron County Water Control and Improvement District No. 6, and converting said water improvement district into a water control and improvement district without impairment of obligations; providing the title to all property and rights in property now owned by Cameron County Water Improvement District No. 6 are vested in Cameron County Water Control and Improvement District No. 6, and that same shall be held and used under the provisions of Section 59, Article 16 of the State Constitution, and of Chapter 25 of the General Laws passed by the Thirty-ninth Legislature at its Regular Session in 1925, as same now exist or may be hereafter amended; providing that the said water control and improvement district shall assume and discharge all legal obligations, contracts and indebtedness legally created by Cameron County Water Improvement District No. 6; validating the bonds heretofore issued and sold by said Cameron County Water Improvement District No. 6; providing that it shall not be necessary for an election to confirm the organization of the district created by this act; providing that proof of publication of constitutional notice required in the enactment of this act has been duly made; enacting provisions incident and necessary to the subject and purpose of this act, and declaring an emergency."

Referred to Committee on Conservation and Reclamation.

By Mr. Hornaday:

H. B. No. 125, A bill to be entitled "An Act creating Cameron County Water Control and Improvement District No. 7 of Cameron county, Texas; defining its boundaries, and which district embraces the same territory included within Cameron County Water Improvement District No. 7; providing that the management and control of the said Cameron County Water Control and Improvement District No. 7 shall be by a board of five directors; providing that the said Cameron County Water Control and Improvement District No. 7 shall be a conservation and reclamation district, and shall be governed by the provisions of Section 59, Article 16, of the Constitution, and by the provisions of Chapter 25, of the General Laws passed by the Thirty-ninth Legislature, at its Regular Session in 1925, relating to water control and improvement districts governed by said Section 59, Article 16, of the Constitution, except as herein otherwise provided; changing the name of such district from Cameron County Water Improvement District No. 7 to Cameron County Water Control and Improvement District No. 7, and converting said water improvement district into a water control and improvement district without impairment of obligations; providing the title to all property and rights in property now owned by Cameron County Water Improvement District No. 7 are vested in Cameron County Water Control and Improvement District No. 7, and that same shall be held and used under the provisions of Section 59, Article 16, of the State Constitution, and of Chapter 25 of the General Laws passed by the Thirty-ninth Legislature at its Regular Session in 1925, as same now exist or may be hereafter amended; providing that the said water control and improvement district shall assume and discharge all legal obligations, contracts and indebtedness legally created by Cameron County Water Improvement District No. 7; providing that it shall not be necessary for an election to confirm the organization of the district created by this act; providing that proof of publication of constitutional notice required in the enactment of this act has been duly made; enacting provisions incident and necessary to the subject and purpose of this act, and declaring an emergency."

Referred to Committee on Conservation and Reclamation.

By Mr. Hornaday:

H. B. No. 126, A bill to be entitled "An Act creating Cameron County Water Control and Improvement District No. 5 of Cameron county, Texas; defining its boundaries, and which district embraces the same territory included within Cameron County Water Improvement District No. 5; providing that the management and control of the said Cameron County Water Control and Improvement District No. 5 shall be by a board of five directors; providing that the said Cameron County Water Control and Improvement District No. 5 shall be a conservation and reclamation district, and shall be governed by the provisions of Section 59, Article 16, of the Constitution, and by the provisions of Chapter 25, of the General Laws passed by the Thirty-ninth Legislature, at its Regular Session in 1925, relating to water control and improvement districts governed by said Section 59, Article 16, of the Constitution, except as herein otherwise provided; changing the name of such district from Cameron County Water Improvement District No. 5 to Cameron County Water Control and Improvement District No. 5, and converting said water improvement district into a water control and improvement district without impairment of obligations; providing the title to all property and rights in property now owned by Cameron County Water Improvement District No. 5 are vested in Cameron County Water Control and Improvement District No. 5, and that same shall be held and used under the provisions of Section 59, Article 16, of the State Constitution, and of Chapter 25, of the General Laws passed by the Thirty-ninth Legislature at its Regular Session in 1925, as same now exist or may be hereafter amended; providing that the said water control and improvement district shall assume and discharge all legal obligations, contracts and indebtedness legally created by Cameron County Water Improvement District No. 5; validating the bonds heretofore issued and sold by said Cameron County Water Improvement District No. 5; providing that it shall not be necessary for an election to confirm the organization of the district created by this act; providing that proof of publication of constitutional notice required in the enactment of this act has been duly made; enacting provisions incident and necessary to the subject and purpose of this act, and declaring an emergency."

Referred to Committee on Conservation and Reclamation.

By Mr. Gibson:

H. B. No. 127, A bill to be entitled "An Act amending Article 545, Revised Criminal Statutes, 1925."

Referred to Committee on Banks and Banking.

By Mr. Brown, Mr. Shaver and Mr. Fly:

H. B. No. 128, A bill to be entitled "An Act authorizing the creation of junior college districts for the purpose of establishing, maintaining, operating and supporting junior colleges; providing the conditions upon which and the method by which such districts may be created; providing for board of junior college trustees; authorizing the levy, assessment and collection of taxes for the support and maintenance of junior colleges within such districts and the issuance of bonds by such districts; recognizing and validating the acts of cities or independent school districts heretofore had looking to the establishment and organization of junior colleges, and declaring an emergency."

Referred to Committee on Education.

By Mr. Runge:

H. B. No. 129, A bill to be entitled "An Act to restore and confer upon the county court of Kerr county the civil and criminal jurisdiction belonging to said court under the Constitution and general statutes of Texas; to define the jurisdiction of said court; to conform the jurisdiction of the district court of said county to said change; to fix the time of holding court, and to repeal all laws in conflict with this act, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Satterwhite:

H. B. No. 130, A bill to be entitled "An Act to ratify and adopt in principle the Canadian River compact between the States of New Mexico, Texas and Oklahoma, executed on the 31st day of December, 1926, by the commissioners of said States, which ratification and adoption is made subject to certain conditions: making an appropriation of \$30,000 to enable the investigation provided for, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Holland:

H. B. No. 131, A bill to be entitled

"An Act creating and establishing the Harris County Houston Ship Channel Navigation District of Harris county, Texas, under Article 3, Section 52, of the Constitution of the State of Texas, for the purpose of development of deep water navigation, the improvement of rivers, bays, creeks, streams or canals within or adjacent to such district, with the power and authority to acquire, purchase, take over, construct, maintain, operate, develop and regulate wharves, docks, warehouses, grain elevators, bunkering facilities, belt railroads, floating plants, lighterage, lands, towing facilities and all other facilities or aids incident to or necessary to the operation or development of ports or waterways within the district and extending to the Gulf of Mexico, provided in Chapter 9, Revised Statutes, 1925; describing said district by metes and bounds; ratifying and validating all orders, notices, elections and proceedings of the commissioners court, navigation board and navigation commissioners and other officers of Harris county and of the Harris County Houston Ship Channel Navigation District of Harris county, Texas; ratifying and validating the original petition for the establishment of said district and all subsequent orders, notices, hearings, etc., had thereon; and ratifying and validating all notices of election, the election returns thereof and all orders with respect to the issuance of bonds, the levying of taxes to create sinking funds to retire all of the bonds of said district and to pay the interest thereon; ratifying and confirming the petition, election and results thereof upon the adoption of the special powers for port facilities conferred by subdivision 2, Chapter 9, Revised Statutes, 1925, and all orders made pursuant thereto by the navigation board and the commissioners court; ratifying, confirming and validating the petition, order of election, notices, election returns, canvass by the court of the votes cast at said election, order authorizing the issuance of bonds, and the bonds in the sum of one million five hundred thousand (\$1,500,000) dollars, voted at an election held in said district on December 4, 1926, authorizing the commissioners court and county officers to levy, assess and collect taxes sufficient to pay interest on such bonds and the principal thereof as they mature; authorizing the navigation commissioners to sell said bonds, the Attorney General to register the same; constituting all orders of the commissioners court and



orders of the navigation and canal commission, or certified copies thereof, evidence in the courts, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Smith of Atascosa:

H. B. No. 132, A bill to be entitled "An Act to amend Chapter 6, Title 11, of the Penal Code of the State of Texas, by adding thereto Articles 618b, 618d and 618e, defining the offense of selling, transferring, assigning, consigning, delivering and transporting slot machines, punch boards, pull boards and other devices for playing at or participating in the hazard of prize-winning or gambling, and prescribing the penalty therefor, and prescribing the venue for prosecutions thereof; defining the offense of exhibiting for the purpose of permitting to be operated punch boards, pull boards and other devices for the playing at or participation in the hazard of prize-winning or gambling, and prescribing the penalty therefor; and providing that the laws of this State with reference to the seizure and destruction of gaming tables, as provided in Articles 636, 637 and 638, shall apply to slot machines, punch boards, pull boards and other devices for playing at and participating in the hazard of prize-winning or gambling, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Swain and Mr. Keeton:

H. B. No. 133, A bill to be entitled "An Act to repeal Chapter 612 of the Special Laws of the State of Texas, passed by the Thirty-ninth Legislature, at its First Called Session, which created the Honey Grove Independent School District, in Fannin county, defined its boundaries, etc., and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Stout:

H. B. No. 134, A bill to be entitled "An Act making appropriations to pay miscellaneous claims against the State, and authorizing payment of said miscellaneous items on the taking effect of this act, and declaring an emergency."

Referred to Committee on Claims and Accounts.

#### SENATE BILL ON FIRST READING.

The following Senate bill, received from the Senate today, was laid before

the House, read first time, and referred to the appropriate committee as follows:

Senate bill No. 100, to the Committee on Conservation and Reclamation.

#### RELATING TO HOUSE BILL NO. 19.

On motion of Mr. Finlay, the Engrossing Clerk was authorized to correct a typographical error in House bill No. 19.

#### RELATING TO HOUSE BILL NO. 8.

On motion of Mr. Bobbitt, the Engrossing Clerk was authorized to make certain correction in House bill No. 8.

#### CONFERENCE COMMITTEE ON SENATE BILL NO. 5.

In compliance with the request of the Senate for a conference committee on Senate bill No. 5, the Speaker announced the following committee:

Messrs. Teer, Hogg, Montgomery, Powell and Kemble.

#### ADJOURNMENT.

Mr. McCombs moved that the House adjourn until 9:30 o'clock a. m. tomorrow.

Mr. Farrar moved that the House adjourn until 10 o'clock a. m. tomorrow.

The motion of Mr. Farrar prevailed, and the House, at 5:50 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

#### APPENDIX.

#### STANDING COMMITTEE REPORTS.

The following standing committees have filed favorable reports on bills as follows:

Education: House bills Nos. 53, 89; Senate bill No. 35.

Appropriations: House bills Nos. 82, 40; Senate bill No. 7.

State Affairs: House bills Nos. 103, 103.

Judiciary: Senate bills Nos. 24, 26, 23, 25, 55; House bills Nos. 59, 73, 71, 75, 74, 88, 59, 33, 79, 65, 64, 98.

Revenue and Taxation: House bills Nos. 110, 105.

School Districts: House bill No. 108.

Banks and Banking: House bill No. 30.

Common Carriers: House bill No. 112.

Highways and Motor Traffic: House bills Nos. 91, 24, 86, 87, 90.



The following committee has today filed adverse reports on bills as follows:  
Criminal Jurisprudence: House bills Nos. 116, 38, 56, 77, 72.

#### REPORT OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,  
Austin, Texas, May 31, 1927.  
Hon. Robert Lee Bobbit, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 57, A bill to be entitled "An Act amending Article 3107 of the Revised Civil Statutes of Texas, 1925, giving the executive committees of the political parties within this State the authority to determine the qualifications of the voters of such parties,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,  
Austin, Texas, May 31, 1927.  
Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 63, A bill to be entitled "An Act declaring unlawful the sale or offer for sale, transportation, preparation, receiving or delivery for transportation or marketing of citrus fruit that is immature, unripe, overripe, frost damaged or otherwise unfit for consumption and the sale thereof declared to be a fraud upon the public; defining terms; providing for the inspection of citrus fruits and issuance of certificates of inspection thereof; providing for the purchase and affixing of stamps in connection with the marketing or transportation of such citrus fruits; providing for the appointment of persons to inspect the same and fixing their compensation; defining certain offenses; prescribing the power and duties of the Commissioner of Agriculture with regard to the provisions of this act; providing for the enforcement thereof and prescribing penalties for violation of any of the provisions of this act, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,  
Austin, Texas, May 30, 1927.  
Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 66, A bill to be entitled "An Act to relieve various schools of the State by validating certain school districts and to validate bonds issued and taxes levied by such districts for school purposes, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,  
Austin, Texas, May 30, 1927.  
Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 88, A bill to be entitled "An Act authorizing counties to pay taxes on school lands owned by such counties, pursuant to Section 6a of Article 7 of the State Constitution recently adopted by the people; prescribing the funds out of which any such taxes may be paid, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

#### FIFTEENTH DAY.

(Wednesday, June 1, 1927.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Bobbitt.

The roll was called and the following members answered to their names:

Acker.	DeBerry.
Albritton.	Denman.
Alexander.	Dielmann.
Anderson.	Duvall.
Avis.	Enderby.
Barnett.	Eickenroht.
Barron.	Farrar.
Bass.	Faulk.
Bateman.	Finlay.
Beck.	Fly.
Bird.	Forbes.
Black.	Foster.
Boggs.	Gibson.
Bonham.	Gilbert.
Boon.	Graves.
Branch.	Gray.
Brice.	Hagaman.
Brown.	Hall.
Conway.	Harding.
Cornwell.	Harman.
Cox.	Hefley.
Cummings.	High.
Daniel.	Hogg.
Davis.	Holder.